

Section '4' - Applications recommended for REFUSAL or DISAPPROVAL OF DETAILS

Application No : 13/01448/FULL1

Ward:
Kelsey And Eden Park

Address : Land Rear Of 107 To 111 Monks
Orchard Road Beckenham

OS Grid Ref: E: 537461 N: 166597

Applicant : Avakas Holdings Ltd

Objections : YES

Description of Development:

Erection of 3 storey detached block comprising 1 x 3 bedroom flat and 7 x 2 bedroom flats; associated car parking, refuse store, bicycle store, landscaping and boundary enclosures on land to rear of Nos. 107 - 111 Monks Orchard Road

Key designations:

Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
Local Cycle Network
Flood Zone 2
London City Airport Safeguarding
Local Distributor Roads
Sites of Interest for Nat. Conservation
Urban Open Space

Proposal

This application proposes the erection of a three storey detached block comprising one x 3-bedroom flat and seven x 2 bedroom flats, with associated car parking, refuse store, bicycle store and boundary enclosures.

Location

The site is located to the east side of Monks Orchard Road and to the north of Eresby Drive. It is situated to the rear of numbers 107-111 Monks Orchard Road with the site accessed between numbers 107 and 109. Residential is located to the north, south and west of the site and to the east is High Broom Wood which is designated Urban Open Space and a Site of Interest for Nature Conservation. The site is within a Flood Zone 2.

Comments from Local Residents

Nearby neighbours were notified of the proposal and representations received can be summarised as follows:

- impede outlook and privacy
- detrimental to the area
- density issues
- traffic and parking issues
- on-going noise and dust pollution
- concerns with mis-management of the site
- no objection to small number of houses granted planning permission - more in keeping with surrounding development
- lack of previous objection to houses did not take into account the piecemeal flattened development on Monks Orchard Road
- tons and tons of building rubble have been dumped on to the site thus raising the site levels considerably - previously they dropped away towards High Broom Wood
- concerns with effect on drainage of rainwater
- flats rather than houses will mean more people and associated noise, parking and traffic

Comments from Consultees

Concerns are raised from a Crime Prevention point of view in that the building to be placed at the rear of existing properties not only makes the proposed development more vulnerable but also exposes the rear gardens of neighbouring properties to crime and criminality. This could be dealt with by restricting vehicular and pedestrian access to the site or with enhanced boundary treatment / defensive planting and physical security measures. In the event of a planning permission a 'Secured by Design' condition is suggested.

With regard to the Environment Agency, the site lies partially within Flood Zone 2 (medium risk flood zone) and within 20 metres of the River Beck. The proposal is therefore considered to be low risk and the Council are referred to the Flood Risk Standing Advice.

Highways considerations note that the site is located in an area with a low PTAL rate of 2. It is noted that the car parking spaces are accessed from Monks Orchard Road via an existing vehicular crossover by the way of a service road 4.10m wide. This is considered to be satisfactory. Of the eight parking spaces provided to the rear the two corner spaces (perpendicular to each other) are difficult to manoeuvre in and out; in the event of a planning permission one bay should be set back by one metre. Nine cycle spaces are required.

It is noted that the refuse store is set too far from the highway and refuse collection arrangements would need to be agreed with the Waste Management team.

On the basis of the information provided no objections are raised by Thames Water in respect of the sewerage infrastructure, surface water drainage or water infrastructure. An informative is suggested in the event of a planning permission.

From an Environmental Health point of view, initial comments suggest that there appear to be issues in respect of limited outlook from roof lights where these are the only natural glazed areas to habitable rooms, (including bedrooms and living rooms) and also that these cannot usually be sources of natural ventilation as in periods of inclement weather would not be openable without possibility of ingress of elements, (wind, rain, snow etc!). Other rooms where only natural light and ventilation is provided by openable French doors are similarly compromised as it would be a security risk to leave doors open to provide adequate natural ventilation and in many of these rooms there are no other openable windows to the affected room. Other issues such as risk of scalding where the only area of recreation/play for children in occupying families is a combined kitchen/lounge area are of concern but any additional detailed comments from an Environmental Health point of view will be reported verbally to Committee.

Planning Considerations

The application falls to be determined in accordance with the NPPF, the London Plan and the following policies of Bromley's Unitary Development Plan:

BE1 Design of New Development
H1 Housing Supply
H7 Housing Density and design
H9 Side Space
NE7 Development and Trees
T3 Parking
T7 Cyclists
T18 Road Safety

Supplementary Planning Guidance (SPG) 1 General Design Principles
Supplementary Planning Guidance (SPG) 2 Residential Design Guidance

Planning History

There is an extensive planning history relating to this site, summarised below:

Reference 02/03675 - consent refused for two storey block and three storey block comprising 8 one bedroom, 6 two bedroom and 10 three bedroom self-contained and shared key worker flats, with 19 car parking spaces, cycle stores and refuse storage facilities, and including vehicular access from Eresby Drive (105, 107 and 109 Monks Orchard Road)

Reference 03/01798 - permission refused 2 two storey blocks comprising 8 one bedroom, 8 three bedroom and 4 four bedroom self-contained and shared key worker flats with 19 car parking spaces, cycle stores and refuse storage facilities and formation of vehicular access from Eresby Drive (105,107 and 109 Monks Orchard Road)

Reference 05/02899 - permission was initially refused but later allowed on appeal for the demolition of Nos. 105, 107 and 109 Monks Orchard Road and the erection of 3 two storey blocks of self-contained and shared key worker accommodation

with car parking, cycle and refuse storage. This comprehensive redevelopment scheme comprised 2 two storey blocks on the road frontage and 1 two storey block to the rear of the site adjacent to Eresby Drive.

Planning permission was granted under ref. 10/01926 to extend and sub-divide No.109 into two semi-detached houses. A subsequent permission was granted under ref. 10/03160 to sub-divide one of the semi-detached houses into two flats.

Reference 10/02576 - permission was refused and subsequently dismissed on appeal for the construction of an additional block to the side of No.109 to provide 3 two bedroom self-contained flats, car parking, refuse store and cycle store.

Reference 10/03160 - permission was granted for part one/two storey rear extensions with balconies, elevational alterations and conversion into 2 semi-detached houses with residential curtilage and associated parking (amendment to permitted scheme 10/01926 to include increased depth of part one/two storey rear extension along northern flank increased balcony area and the conversion of one semi-detached unit into 2 two bedroom units).

Reference 10/03175 - an application was refused and later allowed on appeal for a two storey side extension to No.109 Monks Orchard Road to form 1 three bedroom self-contained dwelling with associated parking at the rear and residential curtilage which is currently being constructed at the site. Permission was subsequently allowed at appeal for use as 3 flats.

Reference 11/00278 - planning permission was refused and dismissed on appeal for a three storey detached block comprising 4 two bedroom, 2 three bedroom flats with 8 car parking spaces and access road, (Land to the rear of 107 and 109 Monks Orchard Road). The Inspector considered in his conclusions that, given the planning history, the proposal would not have such an effect on the living conditions of neighbours as to cause real harm. However, he considered that the block 'would represent a singular incursion of larger scale built form, a failing not shared in the 'three block' scheme which would have been seen to be a complete, integrated, development rather than the piecemeal now proposed...'. He considered the scheme contrary to policy with regard to quality of housing development and its relationship to its surroundings.

Planning permission was granted in 2011, reference 11/03450/FULL1, for the erection of 3 two storey terraced houses (1 x four bedroom and 2 x three bedroom) with accommodation within roofspace with associated car parking and landscaping at land rear of 107 - 109 Monks Orchard Road.

Following this permission an application, reference 12/03904/FULL1, for the erection of a 3 storey detached block comprising 1 x 3 bedroom flat and 7 x 2 bedroom flats with associated works was refused:

'The proposed development by reason of its size, bulk, height, prominence and amount of site coverage by buildings and hard surfaces would result in a cramped overdevelopment of the site, out of character with the existing

pattern of development thereby contrary to Policies H7 and BE1 of the Unitary Development Plan'.

Conclusions

The main issues for consideration are the effect of the development on the character and appearance of the locality and the effect on the amenity of occupiers of neighbouring buildings and those of future occupants and whether this application has sufficiently addressed the previous grounds of refusal so as to merit a planning permission.

This application has been submitted with a view to address and overcome the previous grounds of refusal relating to application 12/03904 (see planning history above). Paragraph 3 (page 9) of the Design and Access Statement and paragraph 4.4 (page 7) of the planning statement submitted in support of the application purport that the 12/03904 decision established the acceptability of the following principals:

1. The development of flats in this area
2. The internal space provision for the proposed flats
3. The proposed amenity space provisions
4. The mix and range of accommodation provided
5. The overall design approach
6. The access, vehicular turning and parking areas
7. Parking provision
8. That there was no adverse impact on the amenity of neighbouring properties

Given the previous ground of refusal it is important to note that the Local Planning Authority (LPA) do not share the view that that decision established the acceptability of the principals noted above.

The planning statement submitted in support of the application suggests that the planning history establishes that 16 dwellings could be accommodated on the sites of 105, 107 and 109 Monks Orchard Road. It states that the conversion of properties at 105, 107 and 109 have resulted in 5 dwellings currently accommodated on site. It is noted that the current application seeks to replace the 2012 approved terrace of 3 dwellings with a similar built form but comprising 8 residential units.

The planning history identifies that the principle of flatted accommodation was considered acceptable within the comprehensive redevelopment of the site under permission 05/02899, which allowed for a coherent development set within 'well-landscaped, pleasant park-like surroundings'. Given the subsequent piecemeal development that has taken place in the vicinity the Planning Inspector noted in the appeal for 11/00278 (which proposed a larger built form than that currently under consideration) a smaller site, reduced distances to boundaries, over-dominance of hardstanding and out of scale with the Eresby Drive development. In an area of predominantly two storey housing the Inspector stated that the block would represent a singular incursion of larger scale built form and would not be in accord

with planning policy aims of quality housing development and its relationship to surroundings.

Whilst the extent of built development has been reduced to that more in line with planning permission 11/03450, careful consideration is to be made given that that permission was for 3 residential units and the current one is for 8 residential units. Neighbour objections are raised in respect of additional noise and disturbance. When considering the planning history it has been previously acknowledged that this will not be to such a great degree as to warrant a planning refusal. However, this was in respect of a) the more comprehensive redevelopment (with four flats to the rear) and b) a proposal for 6 flats. This current scheme proposes eight flats and it may be considered that the comings and goings associated with this increased number of occupants and the increased number of parking spaces near to the northern boundary which has no or very limited buffer zone will have a detrimental impact on existing residential amenity. The previous planning report (for 12/03904) noted that the Inspector's comments in relation to 11/00278 comments regarding impact on residential amenity were on the basis of 6 flats being located 2.1m from the flank boundary while permission 11/03450 was granted on the basis of a terrace of 3 houses with 1m side space. That report stated 'The level of activity, noise and disturbance associated with 8 flats in close proximity to the flank boundary is considered to be unacceptable ... and is indicative of the cramped nature of the proposal'. In respect of objections relating to privacy and overlooking the use of balcony screens and the proposed siting of the development will help to mitigate against some of the impacts in this respect.

Neighbour objections have also raised concern with the raising of the site levels and comment that '...tons and tons of building rubble have been dumped on to the site thus raising the site levels considerably...', indicating that previously they dropped away towards High Broom Wood. Any information from the applicants regarding this matter will be reported verbally to Committee. In the event of a planning permission an appropriate condition relating to slab levels should be applied.

Highways comments note that some minor revisions would be required to enable satisfactory parking space along with the provision of 9 cycle spaces. In the event of a planning permission appropriate conditions are suggested.

Initial Environmental Health (Housing) comments indicate that the quality of resultant living accommodation is likely to be compromised.

Objections have been raised in respect of the proposed density. It should be noted that Government guidance, and that contained within the London Plan, require Councils to maximise the best use of urban land where appropriate when considering new residential developments. The supporting planning statement calculates the density to be 59 units per hectare which comes within the upper end of London Plan guidance of 35-65 units per hectare for suburban settings (for development of 3.8-4.6 habitable rooms per unit and Public Transport Accessibility Level (PTAL) 2 to 3). However it should be noted that the guidance also advises that development should be sought that allows existing buildings and structures that make a positive contribution to the character of a place to influence the future

character of the area. It also states that development should have regard to the form, function, and structure of an area, place or street and the scale, mass and orientation of surrounding buildings.

For information a revised Five Year Housing Supply Paper was agreed by DC Committee on 20th June 2013; the Paper concludes that the Borough is able to demonstrate a five year supply of land for housing at this point in time.

In order to overcome previous refusal grounds this scheme presents a built development form that has previously been considered acceptable as 3 dwelling houses. Members may consider that this proposal does not address and overcome previous grounds of refusal and continues to result in a cramped overdevelopment of the site out of keeping with the established character of the area. Additionally, the level of accommodation for future occupiers is compromised and the scheme offers a limited communal area serving flats capable of family accommodation.

In the event of a planning permission it should be noted that the development will be CIL (Community Infrastructure Levy) liable.

Background papers referred to during production of this report comprise all correspondence on files refs. 13/01448, 12/03904, 11/03450, 11/00278 and 05/02899, excluding exempt information.

RECOMMENDATION: PERMISSION BE REFUSED

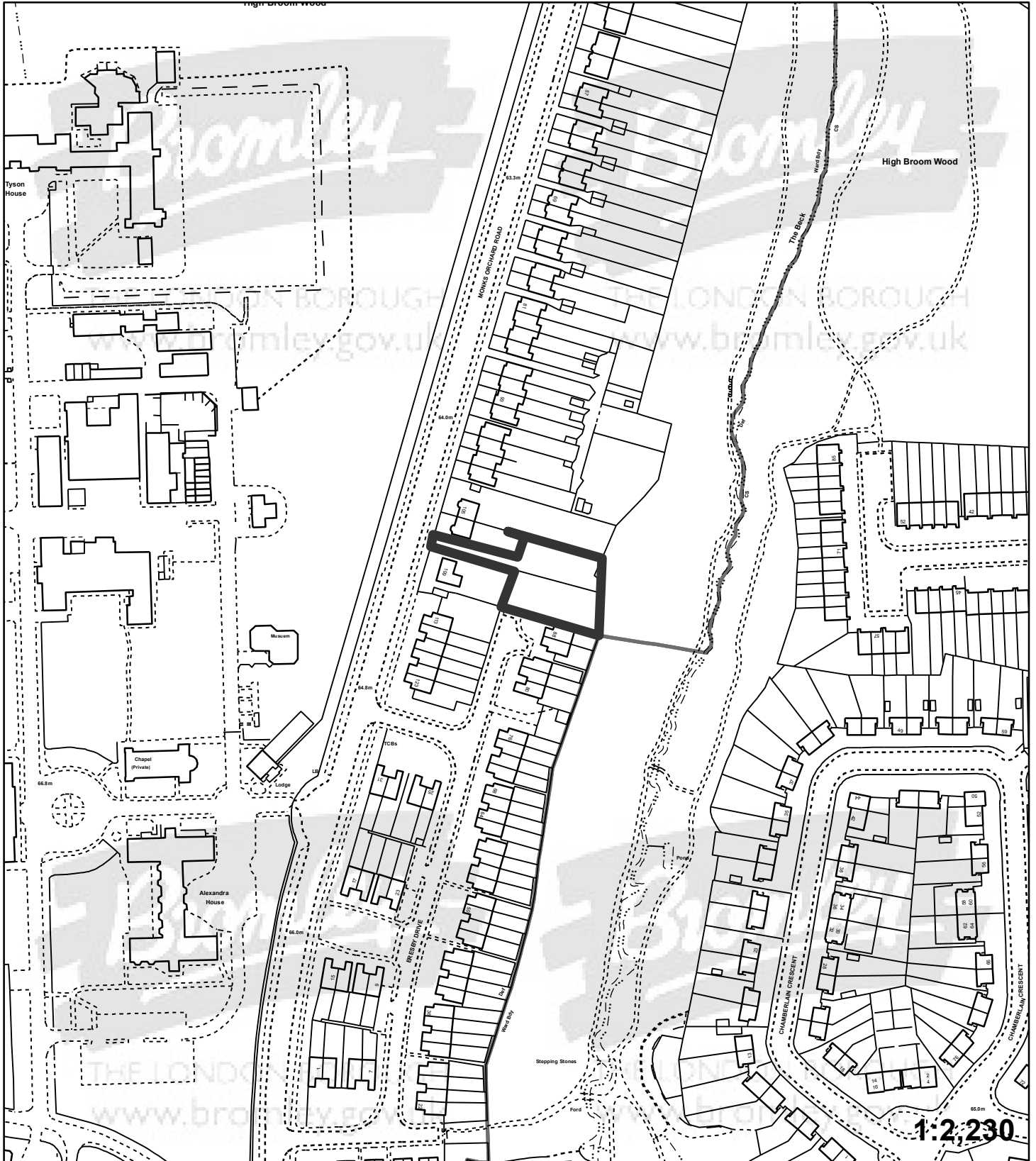
The reasons for refusal are:

- 1 The proposed development, by reason of the type and number of units proposed, would be out of character with the pattern of surrounding development, resulting in a cramped overdevelopment and overintensive use of the site and would therefore be contrary to Policy H7 and BE1 of the Unitary Development Plan.

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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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