

SECTION '2' – Applications meriting special consideration

Application No : 13/04236/VAR

Ward:
Chislehurst

Address : Rivendale The Drive Chislehurst BR7
6QS

OS Grid Ref: E: 545504 N: 168944

Applicant : Mrs Bernadette Kleine Deters

Objections : YES

Description of Development:

Variation of conditions 7, 8 and 10 of permission reference 12/00267 to enable revised landscaping/hardstanding layout.
RETROSPECTIVE APPLICATION

Key designations:

Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
London City Airport Safeguarding
London City Airport Safeguarding Birds

Proposal

Retrospective permission is sought to vary the landscaping and boundary treatment within the front garden area of the application dwelling, in order to provide additional off-street parking towards the south of the site, comprising of a gravel area.

Location

The application site is situated within what previously formed part of the garden of Lyridon, along the western side of The Drive, and approximately 30 metres north of its junction within Leasons Hill. The application dwelling forms one of two detached houses which have recently been constructed within that site.

Comments from Local Residents

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

- contravention of planning permission granted for this development
- gravel parking area is an eyesore

- this additional parking area will lead to conflict between the owners of the application dwelling and that at Redwood

Comments from Consultees

No technical Highways objections have been raised.

Planning Considerations

BE1 Design of New Development

Planning History

Under ref. 90/02423, planning permission was granted for two detached bungalows. However, these were not implemented. Subsequently, under ref. 00/01900 a scheme for three detached houses was refused and dismissed at appeal on the basis that the proposed development would intensify the use of the junction of The Drive with Leasons Hill and in the absence of adequate sight lines at the junction, would lead to conditions prejudicial to the free flow and general safety of traffic along these roads. Subsequent applications for two detached houses (ref. 01/03084) and a single detached house (ref. 04/04079) were refused on similar grounds, the latter also being dismissed at appeal.

Under ref. 11/00621 a proposal for two detached houses of similar design and siting to those now proposed was refused by the Council on the following ground:

"The proposed development would intensify the use of the junction of The Drive with Leasons Hill and in the absence of adequate sight lines at the junction, would lead to conditions prejudicial to the free flow and general safety of traffic along these roads, thereby contrary to Policy T18 of the Unitary Development Plan."

The 2011 application was dismissed at appeal; however, in reaching his conclusion the Planning Inspector (in Para. 32) came to the following conclusion:

"... the proposal would be satisfactory in highway terms if the improved visibility splay was secured such that it was permanently retained. However the unilateral undertaking would not achieve its stated objective and does not provide any guarantee that the improved splay would be provided or permanently retained. Neither would a Grampian condition be satisfactory for the reasons outlined. In these circumstances I must conclude that the proposal would be harmful to road safety at the junction of The Drive with Leasons Hill contrary to UDP policy T18. As such the appeal must be dismissed."

Subsequently, under ref. 12/00267, planning permission was granted for two detached houses, subject to a legal agreement regarding highway sight lines. In addition, the Council imposed a condition requiring adherence to the landscaping and boundary treatments drawings illustrated on the approved plan. The two houses are now substantially complete.

Conclusions

The main issues relating to the application are the effect that it would have on the character of the area and on existing highway conditions.

Policy BE1, Design of New Development, advises that all development proposals will be expected to be of a high standard of design and layout. To those ends, proposals will be expected to meet various criteria, including that development should be imaginative and attractive to look at, and should complement the scale, form, layout and materials of adjacent buildings and areas; that development should not detract from the existing street scene and/or landscape and should respect important views, skylines, landmarks or landscape features; and that space about buildings should provide opportunities to create attractive settings with hard or soft landscaping.

In comparison to the landscaping scheme approved as part of application ref. 12/00267, part of the landscaped area to the south of the site comprising mainly of grassland, has been made over to an area of gravel parking measuring approximately 10m in length and 5m in width. A protected sequoia tree situated between the original drive and the gravel area remains in situ.

Although the front garden area will be less verdant than illustrated on the previous landscaping scheme, overall it is considered that the gravel drive will not diminish from the overall character of the area which will continue to be characterised by low lying shrubs and larger trees which are situated along this part of The Drive. Furthermore, as the new planting matures, the existing landscaping will become more pronounced.

From a highways perspective, it is not considered that local road conditions will be adversely affected.

Background papers referred to during production of this report comprise all correspondence on files refs. 12/00267 and 13/04236, excluding exempt information.

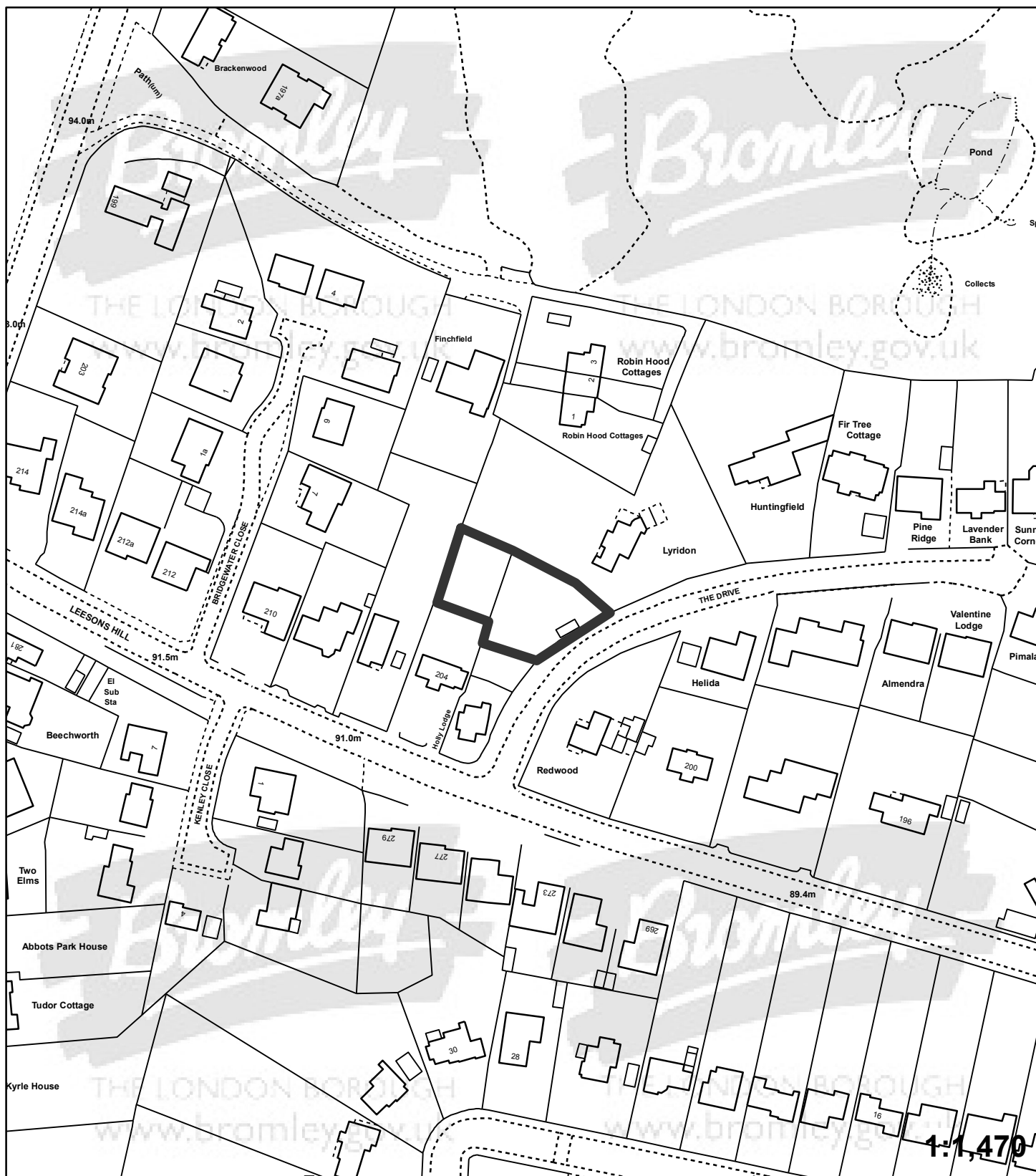
RECOMMENDATION: APPROVAL

subject to the following conditions:

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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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