

Section '3' - Applications recommended for PERMISSION, APPROVAL or CONSENT

Application No : 13/03791/FULL1

Ward:
**Chelsfield And Pratts
Bottom**

Address : Land Adjacent High Barbary Orchard
Road Pratts Bottom Orpington

OS Grid Ref: E: 547188 N: 162527

Applicant : Ravensbourne Property Services Ltd. **Objections :** YES

Description of Development:

Detached two storey 5 bedroom dwelling with integral garage and land adjacent to High Barbary.

Key designations:

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

Proposal

Permission is sought for the erection of a detached two storey 5 bedroom dwelling on land to the west of "High Barbary", and adjacent to "Gara Rise". The dwelling would have a staggered form which would include a forward projecting garage with accommodation above, and would maintain a 1.9-2.1m separation to the side boundary with Gara Rise. Separations of between 1.6-1.8m would be provided to the shared boundary with High Barbary which is set further back in its plot.

The floorspace of the new dwelling would be 394sq.m., and it would occupy a site area of 0.2ha. It is proposed to share the existing access onto Orchard Road with High Barbary.

Location

High Barbary is a detached dwelling located on the northern side of Orchard Road, and the application site comprises a strip of garden land to the west of the dwellinghouse which measures approximately 18m in width and 107m in depth. It lies opposite Orchard Road, Pratts Bottom Area of Special Residential Character.

Gara Rise is set at a lower level than High Barbary (as the land slopes down towards the west), and is situated significantly further forward in its plot than High Barbary, whilst properties to the east maintain a fairly uniform building line. The application site also slopes down towards the rear, as do the rear gardens of neighbouring properties.

Comments from Local Residents

A letter of objection has been received from an occupier of Grange Road (who is also a Ward Councillor) whose property backs onto the rear garden of High Barbary. The main points raised are summarised as follows:

- unacceptable back garden development
- a previous application for a dwelling was refused
- could set an undesirable precedent.

Comments from Consultees

The Council's Highway Engineer raises no objections to the parking provision and shared access, although there may be pressure for parking within the road during the construction period.

No objections are raised from an environmental health point of view, and Thames Water have no concerns.

No drainage objections are raised to the proposals in principle subject to conditions requiring further details of surface and foul water drainage.

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 & Design
- T3 Parking
- NE7 Development and Trees

Planning History

Permission was refused in 2008 (ref. 08/00111) for the erection of a detached two storey 5 bedroom dwelling on this site which included an integral double garage, on the following grounds:

"The proposal would be detrimental to the amenities that the occupiers of the adjoining dwellings might reasonably be able to expect to continue to enjoy by reason of visual impact, loss of prospect and privacy, contrary to Policies H7 and BE1 of the Unitary Development Plan."

The adjacent property at Gara Rise also has permission to extend to the side and rear under ref.12/03232, whilst a current application (ref.13/03722) for a replacement dwelling is under consideration.

Conclusions

The main issues in this case are the effect of the proposals on the character and spatial standards of the surrounding area, and on the amenities of the occupants of surrounding residential properties.

High Barbary currently has a very wide plot with a long rear garden, and its subdivision into two side-by-side plots, each having a width of approximately 18/19m, would not appear out of character with surrounding development which has plots widths of 15-18m. No objections are, therefore, raised to the principle of a new dwelling on this plot.

The previously refused scheme (ref. 08/00111) envisaged a rectangular-shaped house design which projected significantly further to the rear of Gara Rise at two storey level, and significantly further forward than High Barbary. Although it was not considered to be out of character with the surrounding area, it was considered to have a detrimental impact on residential amenity with regards to visual impact, and loss of prospect and privacy.

The current proposals have a staggered design to reflect the forward position of Gara Rise in relation to the dwellings to the east of the site in Orchard Road, and the forward projecting garage, which would lie adjacent to the dwelling at Gara Rise, would have accommodation above within a lowered roofline to give a more subservient appearance in the street scene. Although the overall roof height of the proposed dwelling would be slightly higher than the neighbouring properties, it has been designed with varying roof heights which would break up the massing of the building such that it would not appear overly prominent within the street scene.

The proposed dwelling would project further to the rear than the dwelling at Gara Rise, but the impact would be minimised by staggering the two storey element away from the adjoining dwelling, and keeping a 1.9-2.1m separation to the boundary on this side.

The eastern side of the dwelling would have a lower roofline and would maintain a 1.6-1.8m separation to the side boundary with High Barbary. In comparison with the refused scheme, it would not project so far forward of High Barbary, and would not unduly affect the outlook from the front elevation of this property.

No first floor windows are proposed in the eastern flank elevation adjacent to High Barbary, whilst the first floor bathroom window in the western flank elevation adjacent to Gara Rise would be obscure glazed.

The revised scheme is considered to have adequately overcome the previous concerns with regard to residential amenity, and the proposals would not appear overly cramped nor overdominant within the street scene.

No significant trees would be lost as a result of the proposals, although there would be a minor incursion into the Root Protection Area of a cypress by the proposed drive. However, this is not considered to warrant a refusal, and safeguarding condition can be imposed.

Background papers referred to during production of this report comprise all correspondence on the file ref(s) set out in the Planning History section above, excluding exempt information.

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 | ACA07 | Boundary enclosure - no detail submitted | | |
| | ACA07R | Reason A07 | | |
| 4 | ACB01 | Trees to be retained during building op. | | |
| | ACB01R | Reason B01 | | |
| 5 | ACB02 | Trees - protective fencing | | |
| | ACB02R | Reason B02 | | |
| 6 | ACB03 | Trees - no bonfires | | |
| | ACB03R | Reason B03 | | |
| 7 | ACB04 | Trees - no trenches, pipelines or drains | | |
| | ACB04R | Reason B04 | | |
| 8 | ACB16 | Trees - no excavation | | |
| | ACB16R | Reason B16 | | |
| 9 | ACC01 | Satisfactory materials (ext'nl surfaces) | | |
| | ACC01R | Reason C01 | | |
| 10 | ACD02 | Surface water drainage - no det. submitt | | |
| | ADD02R | Reason D02 | | |
| 11 | ACD04 | Foul water drainage - no details submitt | | |
| | ADD04R | Reason D04 | | |
| 12 | ACH03 | Satisfactory parking - full application | | |
| | ACH03R | Reason H03 | | |
| 13 | ACH26 | Repair to damaged roads | | |
| | ACH26R | Reason H26 | | |
| 14 | ACI12 | Obscure glazing (1 insert) at first floor level in the western flank elevation | | |
| | ACI12R | I12 reason (1 insert) BE1 | | |
| 15 | ACI17 | No additional windows (2 inserts) first floor flank dwelling | | |
| | ACI17R | I17 reason (1 insert) BE1 | | |
| 16 | ACK01 | Compliance with submitted plan | | |
| | ACK05R | K05 reason | | |
| 17 | ACK05 | Slab levels - no details submitted | | |
| | ACK05R | K05 reason | | |

INFORMATIVE(S)

- 1 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

- 2 In order to check whether the proposed storm water system meets drainage requirements, the following information should be submitted:
 - 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 change.
- 3 If during works on site 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.
- 4 Before works commence, the applicant is advised to contact the Pollution Team of Environmental Health and 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 Codes of Practice 2008.
- 5 You are advised that the condition of the section of the street to which the proposed development has a frontage should, at the end of development, be at least commensurate with that which existed prior to commencement of the development. Before any works connected with the proposed development are undertaken within the limits of the street, you should obtain the agreement of the owner(s) of the subsoil upon which Orchard Road is laid out.

- 6 Thames Water will aim to provide customers with a minimum pressure of 10m head (approx. 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters' pipes. The developer should take account of this minimum pressure in the design of the proposed development.

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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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