

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

**Application No :** 13/04196/FULL1

**Ward:**  
**Bickley**

**Address :** Genden Bickley Park Road Bickley  
Bromley BR1 2AT

**OS Grid Ref:** E: 542605 N: 168912

**Applicant :** Mr N Watson

**Objections :** YES

**Description of Development:**

Detached part one/two storey 3 bedroom dwelling with vehicular access, 2 car parking spaces and front boundary wall and gates on land to the rear of Genden and fronting St. Georges Road

Key designations:

Area of Special Residential Character  
Biggin Hill Safeguarding Birds  
Biggin Hill Safeguarding Area  
London City Airport Safeguarding  
London City Airport Safeguarding Birds  
Open Space Deficiency

**Proposal**

It is proposed to subdivide the southern part of the rear garden of Genden, adjacent to Moir House, and construct a detached part one/two storey 3 bedroom dwelling (in the form of a chalet bungalow) which would front onto St Georges Road. The site area would measure 0.04ha, and would have a 14.2m wide frontage to St Georges Road with a new vehicular access proposed.

The density of the development would equate to 25 units/ha

**Location**

Genden is a large two storey dwelling situated on the corner of Bickley Park Road and St Georges Road, which lies within Bickley Area of Special Residential Character.

**Comments from Local Residents**

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

- overdevelopment of the site
- loss of privacy to Moir House adjacent
- noise and disturbance
- loss of garden and green space
- unacceptable backland development, detrimental to the character and appearance of the area
- would set an undesirable precedent.

### **Comments from Consultees**

The Council's Highway Engineer raises no objections in principle, subject to the gates being reduced in height to 1m or set back 5m from the highway boundary.

No objections are raised from a drainage, waste or environmental health point of view and Thames Water have no concerns.

With regard to the trees on the site, two significant horse chestnut trees are located at the front and are shown to be retained. The proposed dwelling would encroach very slightly into the Root Protection Area of one of the trees, but it is only a minor incursion, and would not warrant a refusal on these grounds.

### **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
- H10 Areas of Special Residential Character
- T3 Parking
- NE7 Development and Trees

This application has been called in by a Ward Member.

### **Planning History**

Permission was refused in May 2013 (ref. 13/00333) for a detached part one/two storey 3 bedroom dwelling on this site for the following reasons:

1. The proposals constitute a cramped overdevelopment of this subdivided site of restricted dimensions, which would have a harmful impact on the character and spatial standards of this part of Bickley Area of Special Residential Character, thereby contrary to Policies BE1, H7 and H10 of the Unitary Development Plan.
2. The proposal constitutes an unacceptable form of garden development that would result in an unsatisfactory sub-division of the existing plot and would

introduce a harmful level of noise and disturbance detrimental to the privacy and amenities of the occupiers of adjoining properties and out of character with the area, contrary to Policies BE1, BE11 and H7 of the Unitary Development Plan, Policy 3.5 of the London Plan and the National Planning Policy Framework.

The subsequent appeal was dismissed in November 2013 as the dwelling was considered to appear as an incongruous and unduly cramped form of development within the street scene due to the height and bulk of the roof, the narrow frontage, the forward projection and its closeness to Moir House. It was not considered to have any detrimental impact on noise, disturbance or privacy to neighbouring properties.

With regard to the immediate vicinity, permission was granted in 1977 (ref. 77/00760) for a detached two bedroom bungalow on the site opposite which was previously part of the rear garden of Park House, and is now known as Valentine.

## **Conclusions**

The main issues in this case are the effect of the proposals on the character and spatial standards of Bickley Area of Special Residential Character, and on the amenities of the occupants of surrounding residential properties.

In dismissing the previous appeal, the Inspector considered that although the dwelling opposite known as Valentine was located on a similar size plot, it was of a modest size and height, and largely maintained a similar front building line to that of The Firs adjacent, which ensured that it did not over-dominate the street scene, and appeared subservient to the adjacent house. By contrast, the dwelling proposed to the rear of Genden would have been larger in terms of the extent and height of the roof, with more substantial first floor gable and dormer features proposed. It would also have been of a similar height as Moir House and the whole of the front elevation would have been set significantly closer to the road than Moir House. The narrow frontage and closeness to Moir House was considered to add to the cramped appearance, and it would not, therefore, have appeared subservient to the adjacent property.

In order to address the Inspector's concerns, the current scheme proposes the following main changes:

- the site has been increased in width by 1m (from 13.2m to 14.2m)
- the dwelling would be set back 2.7m from the western flank boundary with Moir House rather than 1m
- the height to the roof ridge has been reduced by 0.4m (from 6.2m to 5.8m)
- the front gable roof has been reduced in size
- the amount of first floor accommodation has been reduced by approximately 10sq.m.
- the rear dormer has been omitted.

The re-designed house would now have a much more subservient appearance in relation to Moir House, with a greater separation provided to the adjacent dwelling,

and a reduced forward projection. This side of St. Georges Road has an irregular building line with separations to the front boundaries of between 8-16m, whilst the proposed dwelling would be set back 9.5-10m from the front boundary. The less bulky roof design and lowered roof ridge would also reduce its impact within the street scene, and Members may now consider that the proposals have sufficiently overcome the previous Inspector's concerns regarding the impact of the dwelling within this Area of Special Residential Character.

With regard to the impact on neighbouring properties, the projection of the southern part of the proposed dwelling 5.5m forward of Moir House is not considered to unduly affect the outlook from and light to the neighbouring property given its reduced height and bulk, and increased separation to the boundary with Moir House. A first floor flank window is proposed to the staircase within the southern elevation, but could be conditioned to be obscure glazed in order to prevent overlooking of Moir House.

Genden to the north would retain a 14m deep rear garden and is set at a slightly higher level, therefore the proposals would not unduly affect light or outlook from this property. The first floor flank window proposed in the northern elevation could also be obscure glazed to protect the privacy of the occupiers of Genden.

In conclusion, the revised proposals are not considered to result in a significant loss of amenity to local residents, nor have a harmful impact on the character and spatial standards of this part of Bickley Area of Special Residential Character .

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.

as amended by documents received on 07.02.2014

## **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	ACB19	Trees - App'ment of Arboricultural Super		
	ACB19R	Reason B19		
10	ACC01	Satisfactory materials (ext'n'l surfaces)		
	ACC01R	Reason C01		
11	ACD02	Surface water drainage - no det. submitt		
	ADD02R	Reason D02		
12	ACH03	Satisfactory parking - full application		
	ACH03R	Reason H03		
13	ACH32	Highway Drainage		
	ADH32R	Reason H32		
14	ACI02	Rest of "pd" Rights - Class A, B,C and E		
	ACI03R	Reason I03		
15	ACI12	Obscure glazing (1 insert) at first floor level in the flank		
		elevations		
	ACI12R	I12 reason (1 insert) BE1		
16	ACI17	No additional windows (2 inserts) first floor flank dwelling		
	ACI17R	I17 reason (1 insert) BE1		
17	ACK01	Compliance with submitted plan		
	ACK05R	K05 reason		
18	ACK05	Slab levels - no details submitted		
	ACK05R	K05 reason		

#### INFORMATIVE(S)

- 1 You should contact extension 4621 (020 8313 4621 direct line) at the Environmental Services Department at the Civic Centre with regard to the laying out of the crossover(s) and/or reinstatement of the existing crossover(s) as footway. A fee is payable for the estimate for the work which is refundable when the crossover (or other work) is carried out. A form to apply for an estimate for the work can be obtained by telephoning the Highways Customer Services Desk on the above number.
  
- 2 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.

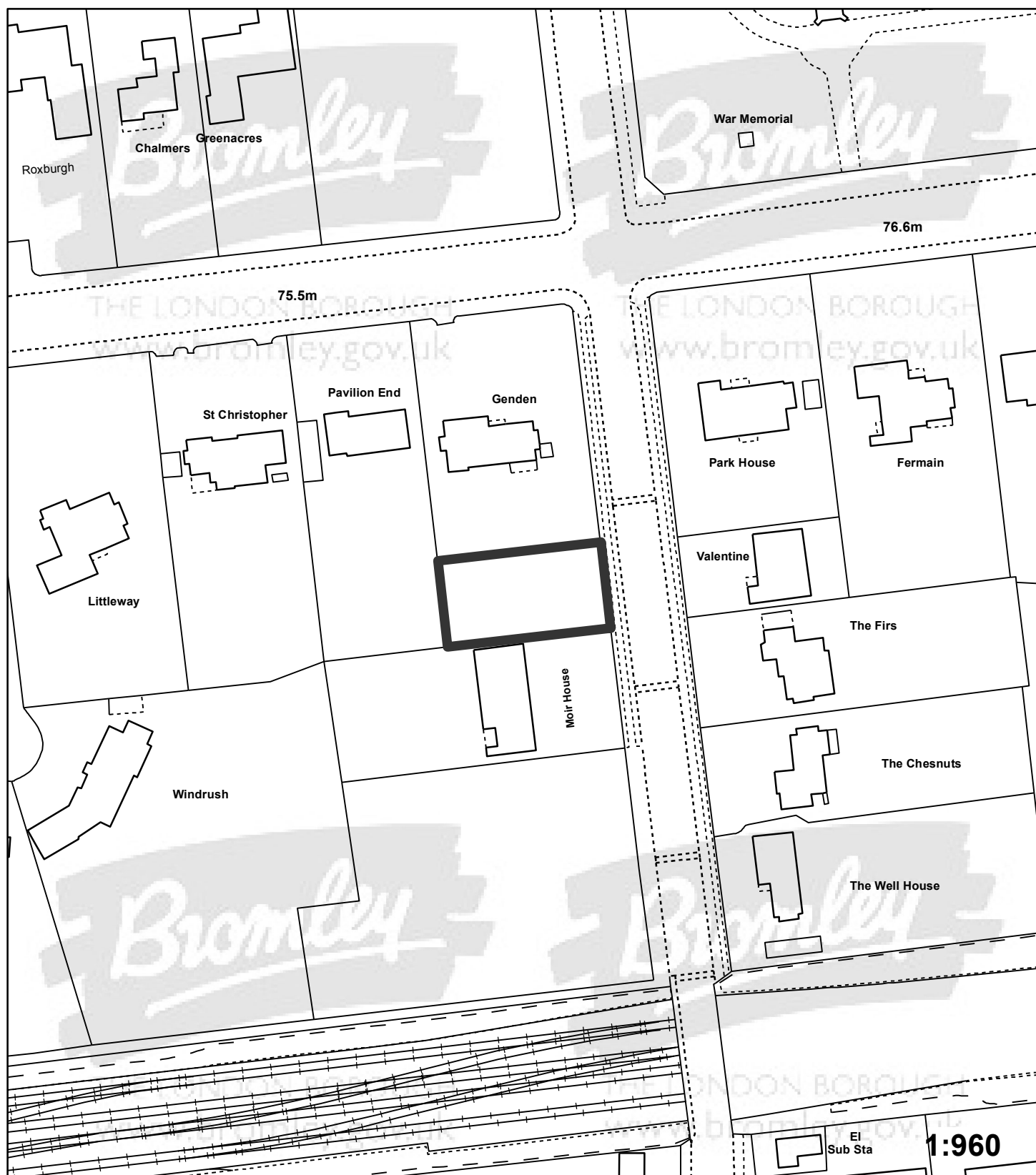
Further information about Community Infrastructure Levy can be found on attached information note and the Bromley website [www.bromley.gov.uk/CIL](http://www.bromley.gov.uk/CIL)

- 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 Any repositioning, alteration and/or adjustment to street furniture or Statutory Undertaker' apparatus, considered necessary and practical to help with the formation of the vehicular crossover hereby permitted, shall be undertaken at the cost of the applicant.
- 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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