

Decision Maker: PLANS SUB-COMMITTEE NO. 4

Date: Thursday 15 May 2014

Decision Type: Urgent Non-Urgent Executive Non-Executive Key Non-Key

Title: **HARD-STANDING, SKIBBS LANE, CHELSFIELD**

Contact Officer: Mick Lane, Planning Enforcement Officer
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Chief Officer: Chief Planner

Ward: Chelsfield and Pratts Bottom;

1. Reason for report

A small area of concrete hard standing has been constructed between Skibbs Lane and the Glebe Field which has been the subject of a complaint. The hard standing involves development requiring planning permission. In the absence of an application it is necessary to consider whether enforcement action against the development is expedient.

2. **RECOMMENDATION(S)**

It is not considered to be expedient, in this instance given all the circumstances and information available to take any further action.

3. COMMENTARY

- 3.1 This site was previously before Plans Sub-Committee 3 on 09.01.2014 when members resolved that the matter be deferred, without prejudice to any future consideration to, request a planning application, to seek the views of the Highways Drainage Engineer and to check the levels.
- 3.2 The site is a sloping concrete access from Skibbs Lane to the Glebe Field, an area of predominantly pervious open meadow bounded on three sides by mature hedging and trees. This grassed meadow is approximately 1.5m above Skibbs Lane, and is owned by St Martins Church, situated within an open rural environment on the eastern side of Chelsfield Village.
- 3.3 On 25.06.2012 a complaint was received alleging that surface water was running off the concrete hard-standing into Skibbs Lane and causing flooding to the complainant's property, a bungalow situated approximately 40m from the entrance to the Glebe Field.
- 3.4 On 25.06.2012 a site visit was undertaken when it was observed that the vehicle access to the Glebe Field adjacent to the rectory surfaced in concrete / paved hard standing in place approximately 4m wide between the highway and the field. The hard surface extends approximately 15m between Skibbs Lane and a gated access into the field. There was a gradient of approximately. 1.5m from the gate to the highway and no drainage appeared to have been installed to take away surface water.
- 3.5 The lower section of the access has recently been concreted to provide a firmer surface for vehicles gaining access to the Glebe Field whilst the upper section appears to have been paved for many years and is therefore immune from any enforcement action.
- 3.6 On 02.07.2012 the Church warden was contacted and initially agreed to install a slot drain in order to relieve any excess surface water that may run off the land. The engineering operations were considered to involve development which required planning permission and a retrospective application was requested for the hard standing that had been installed.
- 3.7 A further site visit was subsequently undertaken during a torrential downpour when it was observed that very little surface water was running off down the slope into the road. The topography of surrounding area clearly shows that the complainants' property is situated on land which is lower than where the hard - standing joins the highway
- 3.8 Two further site visits were made during heavy torrential rain on Friday 11th October 2013 and again on Sunday 13th October 2013. On both occasions it had been raining for at least three hours and pooling of water would have been expected at the site. However it was observed that there were substantial amounts of surface water flowing down Skibbs Lane from the direction of Bucks Cross Road into the recently installed Highway drains which have been installed by the Council in Skibbs Lane.
- 3.9 However at the point at which the hard standing joins the highway there was no clear evidence of any extra surface water run-off onto the highway which was as a result of the extended hard standing or that the surface water flowing back toward the complainants' dwelling from this location was as a result of the extended hard standing.
- 3.10 It is understood that although the extended concrete hard-standing should have required planning permission it has been in place for a number of years and is approximately 40m from the entrance to the complainants' property and in this circumstance is not considered expedient to take enforcement action to remove the extended concrete hard-standing.
- 3.11 A further request for a planning application was made to the Diocese of Rochester on 28.01.2014 an application is still expected and an update will be provided verbally at the meeting.
- 3.12 Since the last committee in January 2014 a site survey was commissioned which found that there is a minimal sloping of the highway from WEST to EAST towards the newly installed drainage gullies (7 in total) and towards the residential property. Where the concrete extension to the existing hard standing meets the highway, water would flow off in either direction both NORTH and SOUTH. Whilst the field itself is 1.5 metres above the highway there does not appear to be any concern raised over any

excessive run off from this land and in any case it must be presumed that some rainfall would be absorbed into the land. It appears that the complainants property is in a basin as it sits between the higher levels of Glebe field. The highway and the bungalow in skibbs lane. The overall level of the Bungalow is considered to be lower that the level of the highway and it is concluded that the extended concrete hard-standing would not have been a significant factor in the flooding problems experienced at the bungalow

- 3.13 The Highway Drainage engineer has been consulted and has concluded the extension to the highway drainage system constructed in 2013 is well placed to pick surface water on the road at this end of Skibbs Lane.
- 3.14 Run off : The results of the survey concluded that the run off from the Glebe field can run in either or both directions. It was also concluded that the extended hard standing would not be considered to be the overriding and only cause of the alleged flood. The attached survey is supporting documentation of our findings and should be considered in reaching our conclusion in this matter.
- 3.15 It should be noted that over the wet winter of 2013/14 there has been no significant flooding to the highway reported at this location.

Non-Applicable Sections:	POLICY, FINANCIAL, LEGAL, PERSONNEL IMPLICATIONS
Background Documents: (Access via Contact Officer)	NA