

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

Application No : 13/03722/FULL1

Ward:
**Chelsfield And Pratts
Bottom**

Address : Gara Rise Orchard Road Pratts Bottom
Orpington BR6 7NS

OS Grid Ref: E: 547167 N: 162513

Applicant : Mr Steve Bragoli

Objections : NO

Description of Development:

Demolition of existing dwelling and replacement part two/three storey detached dwelling incorporating integral garage

Key designations:

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

Proposal

This application was deferred by the Planning Sub Committee (No 3) which resolved that the application be deferred, without prejudice to any future consideration to check that all neighbours had received their notification letter and to clarify the building height in relation to existing and proposed development at the site and on neighbouring land.

An application on the neighbouring plot, at High Barbury (ref. 13/03791) was also considered at the same committee, and it was also resolved that this application should be deferred, Further clarification of the existing and proposed building heights for both "Gara Rise" and the "High Barbury" development was requested. Since that time, that neighbouring application has been permitted.

In addition, since the committee meeting, the application for Gara Rise has been modified to incorporate a lower slab level in respect of the proposed dwelling so that it is 0.5m lower than previously proposed. This is in addition to the changes made following the previous refusal.

The proposed dwelling will incorporate an external footprint measuring 14.7m (width) x 14.4m (depth) and rise to a height of 9.0m (as measured from the

frontage), incorporating one dormer along the rear roof slope. Due to the sloping ground level, the height of the dwelling at the rear will be greater. The front elevation will be characterised by a central gable fronting the main roof which will incorporate a large window. The roof will be of hipped design.

Location

The application site is situated along the northern side of Orchard Road, approximately 50m to the east of its junction with Rushmore Hill. The road is characterised by detached houses most of which are set within substantial plots.

Comments from Local Residents

Nearby owners/occupiers were notified of the application and no representations were received.

Following the previous deferral of this case, the neighbouring resident has been consulted by the Council and advised of the application, including the revised plan (received 7.4.14) but, at the time of writing, had not formally responded. Members will be advised of any formal comments submitted by the neighbouring resident, if these are received before the committee meeting.

Comments from Consultees

No technical Highways objections raised, subject to conditions.

Planning Considerations

The application falls to be determined in accordance with the following policies of the Unitary Development Plan and the London Plan:

BE1 Design of New Development
H7 Housing Density & Design
H9 Side Space
T3 Parking
NE7 Development and Trees

Planning History

Under ref. 12/01676, a proposed two storey front, side and rear extension and elevational alterations together with formation of rear terrace was refused on the following ground:

"The proposal, by reason of its excessive depth and bulk, would be detrimental to the amenities that the occupiers of the adjoining dwelling at "High Linden" might reasonably be able to expect to continue to enjoy by reason of visual impact and loss of outlook, as such contrary to Policy BE1 of the Unitary Development Plan."

A subsequent application for a similar extension, though incorporating a recess at first floor level within the NW corner of the dwelling, was approved under ref. 12/03232. That dwelling incorporated a ridge height of 7.5m (as scaled from the frontage) and a "chalet"-style design.

More recently, under ref. 13/02102 planning permission was refused for the demolition of the existing dwelling and a replacement part two/three storey detached dwelling incorporating integral garage, on the following grounds:

"The proposed dwelling, by reason of its excessive height and massing, would appear overbearing and harmful within the streetscene, out of character in relation to surrounding development, contrary to Policies BE1 and H7 of the Unitary Development Plan."

"The proposal, by reason of its excessive height and bulk, would be detrimental to the amenities that the occupiers of the adjoining dwelling at "High Linden" might reasonably be able to expect to continue to enjoy by reason of visual impact and loss of prospect, as such contrary to Policy BE1 of the Unitary Development Plan."

In April 2014, under ref. 13/03791, planning permission was granted for a detached two storey 5 bedroom dwelling on land adjacent to High Barbary, which adjoins the site along its eastern boundary.

Conclusions

The main issues relating to the application are the effect that it would have on the character of the area and the impact that it would have on the amenities of the occupants of surrounding residential properties.

The existing dwelling comprises a detached 1950s house of modest proportions which has undergone little alteration since construction. The site forms one of a number of detached houses fronting Orchard Road most of which are set within large plots. The dwelling is situated on a slope which rises up from west to east and north to south. The neighbouring dwelling to the west, "High Linden", is situated approximately a minimum 1 metre to the west of the common boundary with the application site- and comprises a part one/two storey property - set at a much lower level in relation to "Gara Rise". The site to the east includes a single detached dwelling of conventional two storey design set well off the boundary.

Policy BE1 advises of the need to respect the relationship with existing buildings and spatial standards within the locality. It also highlight the need for proposals to respect the amenity of adjoining occupiers.

In comparison to the previously refused application, ref. 13/02102, the main change relates to the height and bulk of the proposed roof which has been lowered by approximately 1 metre (from 10m to 9m), and which now incorporates a substantially reduced bulk. Consequently, two of the three dormers previously proposed have been removed and replaced by rooflights. In the case of that previous application (12/03232), there had been a slight increase in the floor

area/footprint in comparison to the previously-approved 2012 application. A key difference between this current proposal and the approved 2012 scheme relates to the roof design which now incorporates a simplified single pitch which provided additional habitable floorspace, as well as a rear dormer.

It is considered that the above changes satisfactorily address both refusal grounds raised by the Council in regard to the earlier 2013 application. Whereas it was considered in the case application ref. 13/02102 that the higher elevation and substantial bulk would appear imposing from the side of "High Linden", resulting in a loss of outlook and appearing over-dominant, it is considered that this proposal returns the dwelling to a scale and bulk more commensurate with existing development and the approved 2012 scheme, and it is therefore less dominant. The change in the roof design also addresses the previous concerns relating to character: the dwelling as now proposed will appear less overbearing within the streetscene and more commensurate in scale with existing development.

Having had regard to the above it was considered that the development in the manner proposed is acceptable in that it would not result in a significant loss of amenity to local residents nor impact detrimentally on the character of the area.

Background papers referred to during production of this report comprise all correspondence on files refs. 12/01676, 12/03232, 13/02102 and 13/03722, excluding exempt information.

as amended by documents received on 07.04.2014

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- 1 ACA01 Commencement of development within 3 yrs
ACA01R A01 Reason 3 years
- 2 ACH03 Satisfactory parking - full application
ACH03R Reason H03
- 3 ACH26 Repair to damaged roads
ACH26R Reason H26
- 4 ACC01 Satisfactory materials (ext'nl surfaces)
ACC01R Reason C01
- 5 ACK05 Slab levels - no details submitted
ACK05R K05 reason
- 6 Details of a scheme of landscaping, which shall include heavy stock planting on the boundary adjacent to High Linden, Orchard Road, shall be submitted to and approved in writing by the Local Planning Authority before the commencement of the development hereby permitted. The approved scheme shall be implemented in the first planting season following the first occupation of the buildings or the substantial completion of the development, whichever is the sooner. Any trees or plants which within a period of 5 years from the substantial completion of the development die, are removed or become seriously damaged or diseased shall be replaced in

the next planting season with others of similar size and species to those originally planted.

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|---|--------|-----------------------------------|---|--|--|--|
| | ACA05R | Reason A05 | | | | |
| 7 | ACI12 | Obscure glazing (1 insert) | along the first floor western elevation | | | |
| | ACI12R | I12 reason (1 insert) | BE1 | | | |
| 8 | ACI17 | No additional windows (2 inserts) | first floor flank extensions | | | |
| | ACI17R | I17 reason (1 insert) | BE1 | | | |
| 9 | ACK01 | Compliance with submitted plan | | | | |
| | ACC03R | Reason C03 | | | | |

INFORMATIVE(S)

- 1 Given the status of Orchard Road as an unadopted street, the applicant is 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. The applicant is advised that before any works connected with the proposed development are undertaken within the limits of the street, it will be necessary to obtain the agreement of the owner(s) of the sub-soil upon which Orchard Road is laid out.
- 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)).

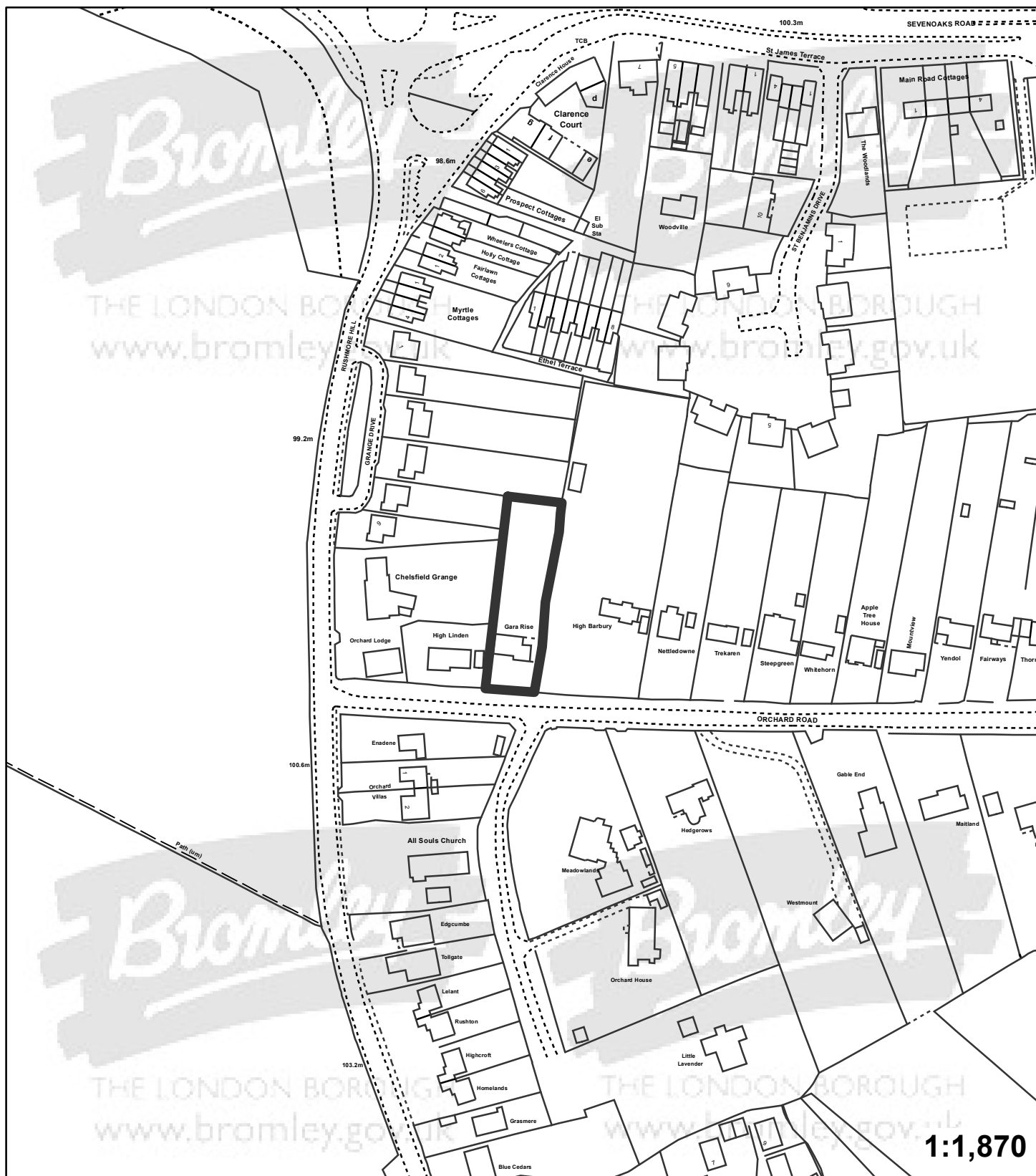
If you fail to follow the payment procedure, the collecting authority may impose surcharges on this liability, take enforcement action, serve a stop notice to prohibit further development on the site and/or take action to recover the debt.

Further information about Community Infrastructure Levy can be found on attached information note and the Bromley website www.bromley.gov.uk/CIL

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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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