

SECTION '2' – Applications meriting special consideration

Application No : 14/00981/FULL1

Ward:
Plaistow And Sundridge

Address : 51 London Lane Bromley BR1 4HB

OS Grid Ref: E: 539945 N: 170320

Applicant : Mr N Rowe

Objections : YES

Description of Development:

Conversion of existing single storey garage into detached two bedroom dwelling.

Key designations:

Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
London City Airport Safeguarding
London City Airport Safeguarding Birds
Local Distributor Roads
Open Space Deficiency

Proposal

Planning permission is sought for the conversion of existing single storey garage into detached two bedroom dwelling.

The proposal involved no enlargement or extension of the existing garage other than the addition of a front porch and will share the existing dual vehicle crossovers with the donor site.

Location

The application site lies on the northern side of London Lane and comprises a large two storey detached property with a detached single storey double garage. The site is neither listed nor within a conservation area.

Comments from Local Residents

Nearby owners/occupiers were notified of the application and 3 objections were received, which can be summarised as follows (the representations are available to view in full on file):

- applicant has track record of poor consideration of style and design;
- out of character visually;

- using both crossovers for entering and existing will result in accidents;
- level of parking not in keeping with rest of area;
- concern about future use of building;
- boundary dispute between #51 and 53;
- a lengthy submission detailing a number of factors in support of refusing the application, including:
 - the reasons for granting the original permission (erection of garage);
 - refusal of 2012 application and subsequently dismissed appeal;
 - boundary dispute with 53 London Lane;
 - improper use of garage in contravention of conditions of original permission.

Revised plans increasing the rear garden/outdoor amenity area have been submitted and reconsulted. To date, no responses to the reconsultation have been received. Any further comments received will be reported verbally at the Plans Sub-committee meeting.

Comments from Consultees

Highways: Vehicles for # 51 and the proposed bungalow will be able to turn around on site and leave in a forward gear so has no objection.

Planning Considerations

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

BE1 Design of New Development
 H1 Housing Supply
 H11 Residential Conversions
 T3 Parking
 T18 Road Safety

The following Council adopted SPG guidance is also a consideration:

Supplementary Planning Guidance 1 General Design Guidance
 Supplementary Planning Guidance 2 Residential Design Principles

The above policies are considered consistent with the objectives and principles of the NPPF.

Planning History

2012: Planning application (ref. 12/02364) refused and dismissed on appeal for demolition of the existing detached garage and the erection of a two storey annexe building and a new link structure. Reasons for refusal:

“The proposal does not comply with the Council's requirement for a minimum 1 metre side space to be maintained to the flank boundary in respect of two-storey development in the absence of which the extension would constitute a cramped form of development, out of character with the

street scene, conducive to a retrograde lowering of the spatial standards to which the area is at present developed and contrary to Policies H8 and H9 of the Unitary Development Plan.

“The proposed development would, by reason of its height, bulk and siting in conjunction with its proximity to the neighbouring property No. 53 London Lane, result in an unneighbourly and over bearing form of development resulting in a loss of residential amenity to the occupiers of this same property. The proposal is therefore considered contrary to Policy BE1 of the Unitary Development Plan”.

1995: Planning permission (ref. 95/00812) granted retrospectively for detached double garage.

1992: Planning permission (ref. 92/00272) granted for detached garage.

Conclusions

The main issues relating to the application are the principle of conversion to a separate residential unit, the standard of accommodation that it would provide for future occupiers, the effect that it would have on the character of the area, the impact that it would have on parking and the highway and the impact that it would have on the amenities of the occupants of surrounding residential properties.

Objections have been raised regarding issues associated with the use of the garage and alleged condition breach of the original permission for its erection. In this regard, Members should assess the current application on its own merits. However, Members may note that in regard to the alleged breach of condition, no further action was considered necessary at the time of investigation (early 2014).

Furthermore, whilst the condition of the permission to construct the garage relating to it not being converted to a separate unit is noted, this does not preclude an application for such separation being made and duly considered. In this regard, Members may consider that the principle of the conversion to a separate unit is supported in the first instance as it will accord with policy H1 of the UDP relating to provision of addition housing in the Borough and is within a residential area. This support in principle is obviously dependent on the proposal being satisfactory with regard to the other material considerations as assessed below.

The new unit will comply with the minimum size required under the London Plan and include a suitable area of outdoor amenity space (enlarged since initially lodged) and therefore, Members may consider the proposal to provide an acceptable standard of accommodation for future occupiers.

The previous proposal was refused in part because of it being two storey and not maintaining sufficient separation to the boundary. With the current proposal being a conversion of the existing building with no additional height or extensions other than the addition of the front porch, this previous reason for refusal no longer applies. Members may therefore consider the proposal not to be out of character with the surrounding area or streetscene.

With regard to neighbouring amenity, subsequent to the previously refused two storey building application, the proposal has been amended so that, aside from the addition of the front porch, the building envelope remains as existing. Therefore, whilst the objections of neighbours are noted, Members may consider that the proposal would not result in such an unduly harmful loss of light or increased sense of enclosure over and above the existing environment as to warrant refusal of the application. To ensure the newly created site is not overdeveloped or neighbouring amenity unduly harmed, it is recommended that permitted development rights for extensions and outbuildings be removed by way of condition.

With regard to parking and the adjoining highway, whilst the objections of neighbours are noted, the proposal will use existing dual crossovers shared with the donor site and vehicles for both sites will be able to turn around on the site and leave in forward gear. Furthermore, sufficient car parking spaces will be provided for both the new dwelling as well as the donor site. Furthermore, Council's Highway Development Engineer has no objection to the application with regard to its potential impact on parking or the highway. It should also be noted that the Inspector in the decision to dismiss the previous appeal stated that:

Residents have expressed concern about the effect of the proposal on car parking; however the front garden area of No. 51 has sufficient space for a number of cars and I consider that the proposal would not result in an increase in on-street parking.

Having had regard to the above, Members may consider the proposal acceptable in that it would provide a suitable standard of accommodation for future occupiers, not result in a significant loss of amenity to local residents or impact detrimentally on the character of the area or parking and the adjoining highway.

Background papers referred to during production of this report comprise all correspondence on the files refs. 14/00981, 12/02364, 95/00812 and 92/00272, set out in the Planning History section above, excluding exempt information.

as amended by documents received on 21.05.2014

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- 1 ACA01 Commencement of development within 3 yrs
 ACA01R A01 Reason 3 years
- 2 ACK01 Compliance with submitted plan

Reason: In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of the appearance of the building and the visual amenities of the area.

- 3 ACC07 Materials as set out in application
 ACC07R Reason C07
- 4 ACI02 Rest of "pd" Rights - Class A, B,C and E

Reason: In order to comply with Policies H7 and BE1 of the Unitary Development Plan to prevent overdevelopment of the site and in the interest of the amenities of the adjacent properties.

- 5 ACH03 Satisfactory parking - full application
ACH03R Reason H03
- 6 ACH19 Refuse storage - implementation
ACH19R Reason H19
- 7 ACH32 Highway Drainage
ADH32R Reason H32
- 8 No loose materials shall be used for surfacing of the parking and turning area hereby permitted.
ACH16R Reason H16

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)).

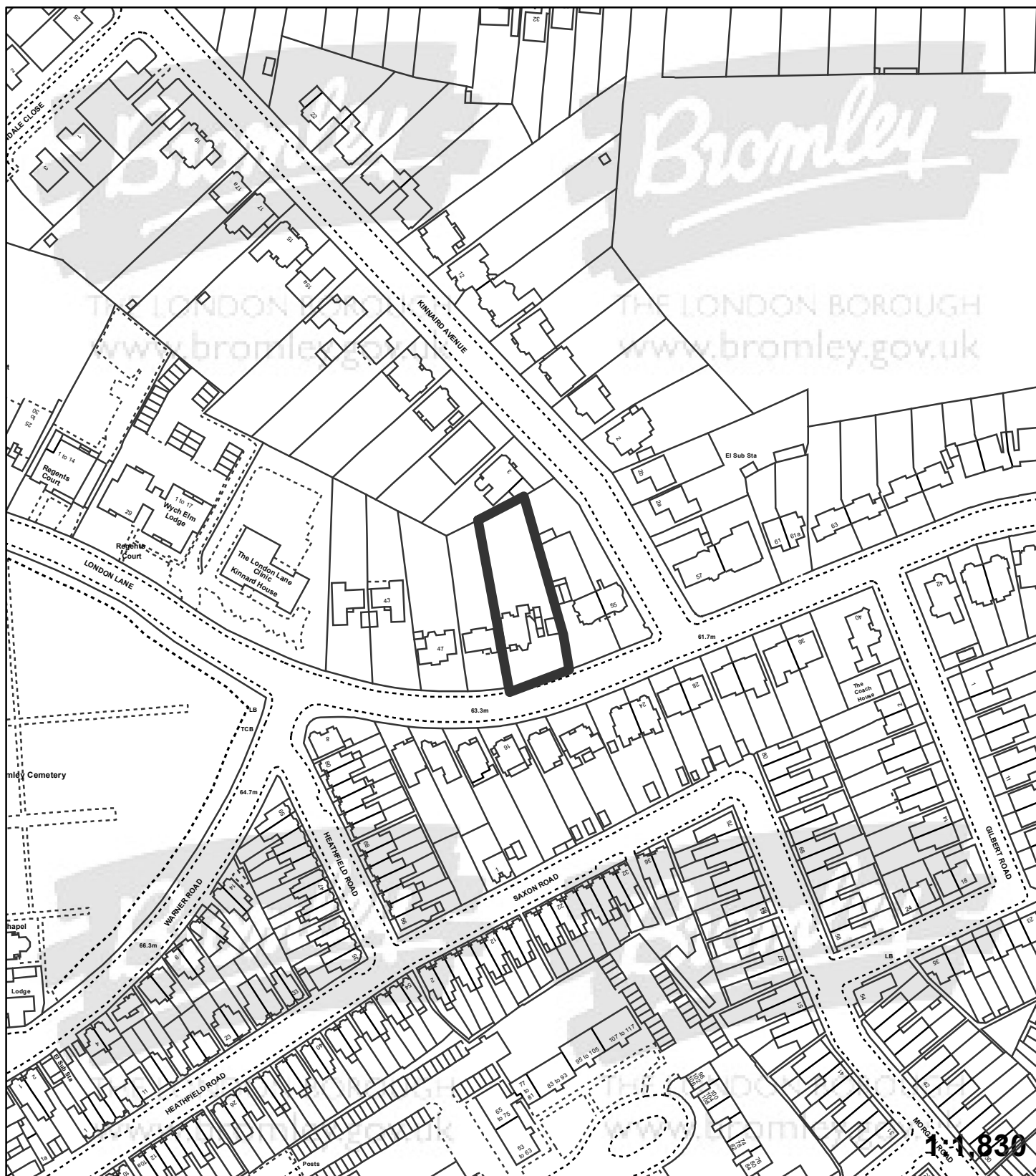
If you fail to follow the payment procedure, the collecting authority may impose surcharges on this liability, take enforcement action, serve a stop notice to prohibit further development on the site and/or take action to recover the debt.

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

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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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