

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

Application No : 13/02200/FULL1

Ward:
Bickley

Address : The Pentlands Woodlands Road Bickley
Bromley BR1 2AE

OS Grid Ref: E: 542749 N: 169153

Applicant : Mr Colin Harrison

Objections : YES

Description of Development:

Part one/two storey detached 4 bedroom dwelling with basement garage and ancillary accommodation on land to the rear of The Pentlands fronting Woodlands Close

Key designations:

Conservation Area: Bickley Park
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 construct a detached part one/two storey 4 bedroom dwelling on land to the rear of The Pentlands which would front onto Woodlands Close. It would include a vehicular access from Woodlands Close leading to a basement garage below the dwelling.

The dwelling would be set back from Woodlands Close to come approximately in line with Oakdene to the west, and its main amenity area would be to the eastern side. It would maintain separations of 4.5m to the western boundary with Oakdene, and 9.5m to the eastern boundary with Easdale.

A Tree Survey has been submitted to support the application.

Location

This site lies within Bickley Park Conservation Area, and comprises part of the rear garden of The Pentlands which fronts Woodlands Road. The site measures 0.075ha., and lies at the eastern end of the cul-de-sac known as Woodlands Close.

It is bounded to the east by Easdale and to the west by Oakdene, both within Woodlands Close.

Comments from Local Residents

Letters of objection have been received from nearby residents, and their main points of concern are summarised as follows:

- overdevelopment of the site
- detrimental to the character, appearance and spatial standards of Bickley Park Conservation Area
- inadequate amenity areas for proposed and host dwellings
- increased parking problems and congestion in Woodlands Close
- dangerous access proposed onto the bend of this cul-de-sac
- the proposals would require a new vehicular access onto Woodlands Close where only a pedestrian access currently exists
- private covenants restrict any further dwellings in Woodlands Close (not a planning matter).

Comments from Consultees

The Council's Highway Engineer raises no objections to the proposals which would provide adequate parking for the new development.

The Advisory Panel for Conservation Areas raises objections on the grounds that the proposals would have a cramped layout with inadequate surroundings, and would have a detrimental impact on the spatial standards of the conservation area.

The Council's Drainage Engineer raises no objections in principle, subject to the submission of further details of surface water drainage, and Thames Water have no concerns.

No objections are raised from an Environmental Health point of view.

With regard to the trees on the site, the footprint of the house and the access drive would be within the Root Protection Area of several trees, and concerns are raised about the potential impact of the proposals on a Wellingtonia tree (graded B) on the eastern boundary of the site. Although the impact of the access drive could be mitigated by requiring a no-dig method of construction, the proposals also include an underground garage and basement area which could impact on several trees.

Planning Considerations

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

- BE1 Design of New Development
- BE11 Conservation Areas
- H7 Housing Density and Design
- NE7 Development and Trees

T3 Parking
T18 Road Safety

This application has been called in by a Ward Member.

Planning History

Permission was refused for an identical scheme in 2002 (ref. 02/03072) on grounds relating to cramped form of development, inadequate amenity space, and detrimental impact on the Conservation Area and on residential amenity, but it was allowed on appeal in July 2003. The proposals were not implemented within the 5 year time limit, and the permission therefore lapsed.

Conclusions

The main issues in this case are whether there have been any material changes since the scheme was allowed on appeal in 2003 to now warrant a refusal.

In allowing the appeal, the Inspector considered that the small scale of the development in relation to neighbouring properties, its careful siting and the quality of its design would result in a form of development which would preserve the character and appearance of the Conservation Area. He considered that the site was well-screened from neighbouring properties by existing mature trees along the boundaries, and that although the new vehicle access would open up the frontage to Woodlands Close, the proposed dwelling would still be less visible than other properties in this close. He also considered that the provision of basement garages would allow the retention of more garden area for the dwelling.

With regard to the impact on neighbouring properties, the Inspector considered that the proposed first floor windows, one to the front elevation and one to the east, would not cause any overlooking problems, and that no first floor rear windows would overlook the host dwelling or its rear garden. The Inspector considered that the size of the remaining garden to The Pentlands would be similar to that at the neighbouring property, Caversham, and that the amenity areas to the proposed and host dwellings would be suitable for the size of the houses.

In refusing permission for the earlier identical scheme in 2002, the Council did not refer in its grounds for refusal to any detrimental impact of the proposals on important trees on the site, and neither did the Inspector refer to concerns about the impact on trees in his decision to allow the appeal. Conditions were instead imposed requiring measures for protecting the retained trees. On that basis, it would be difficult to substantiate a reason for refusal of the current identical scheme based on the detrimental impact on trees.

With regard to highways issues, the Inspector commented that the new vehicular access to Woodlands Close would be at the far end of the cul-de-sac, and due to the small roundabout and narrow road, vehicle speeds would have to be extremely low, and he therefore considered that the access would not have a detrimental impact on traffic flow or highway safety.

In conclusion, the proposals which were considered in 2003 to provide an appropriate development of the land would still be considered appropriate under current Council policies and Government guidance, and there is no reason seen to justify withholding permission in this case.

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 02.01.2014

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 ACC01 Satisfactory materials (ext'nl surfaces)
 ACC01R Reason C01
- 9 ACD02 Surface water drainage - no det. submitt
 AED02R Reason D02
- 10 ACH03 Satisfactory parking - full application
 ACH03R Reason H03
- 11 ACH26 Repair to damaged roads
 ACH26R Reason H26
- 12 ACI02 Rest of "pd" Rights - Class A, B,C and E
 ACI03R Reason I03
- 13 ACK01 Compliance with submitted plan
 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.

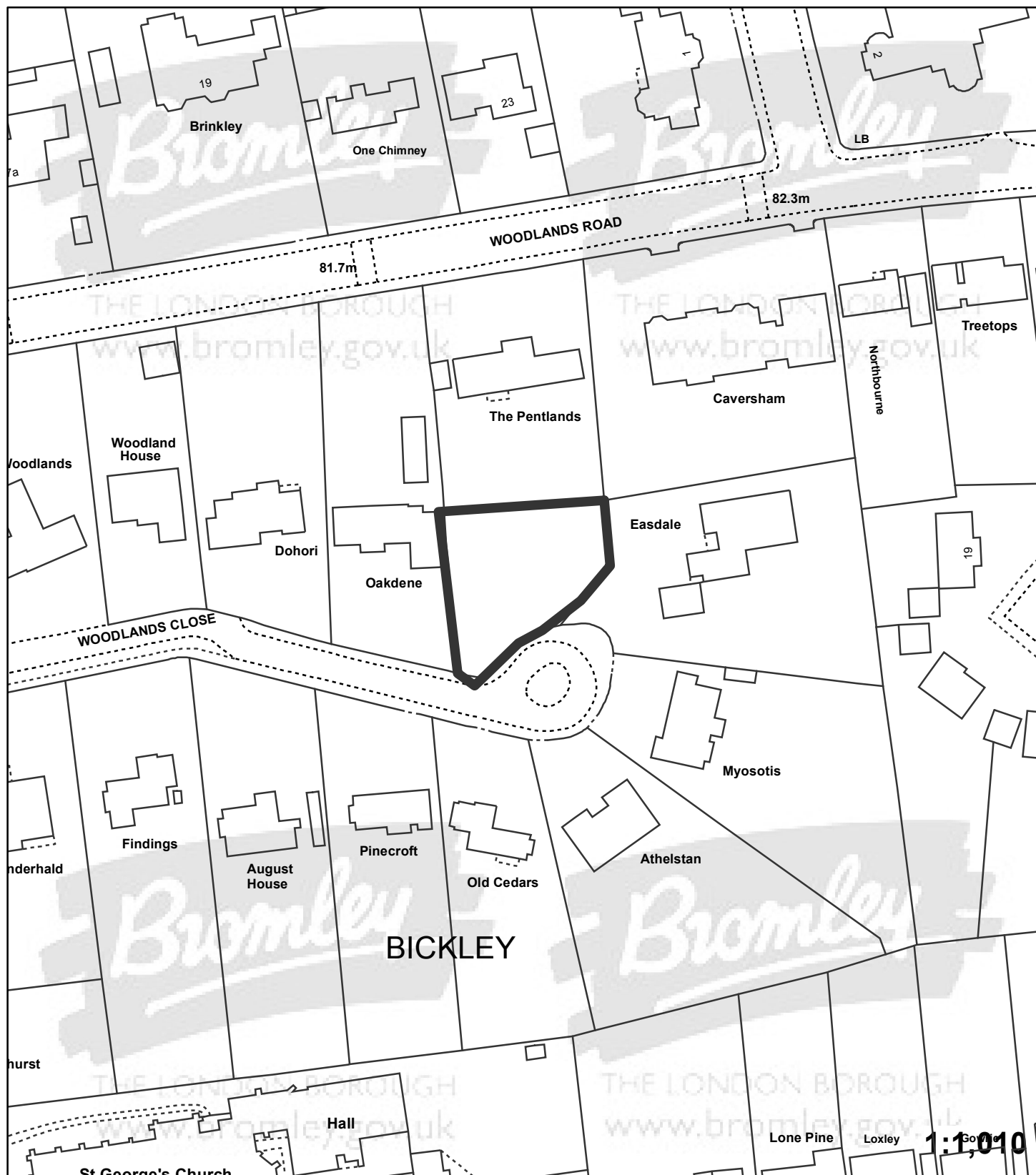
Further information about Community Infrastructure Levy can be found on attached information note and the Bromley website www.bromley.gov.uk/CIL

- 2 If during works on site suspected contamination is encountered, Public Protection should be contacted immediately. The contamination shall be fully assessed and an appropriate remediation scheme submitted to the Local Authority for approval in writing.
- 3 Before works commence, the applicant is advised to contact the Pollution Team of Public Protection regarding compliance with the Control of Pollution Act 1974 and/or the Environmental Protection Act 1990.

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Proposal: Part one/two storey detached 4 bedroom dwelling with basement garage and ancillary accommodation on land to the rear of The Pentlands fronting Woodlands Close



"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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