

SECTION '2' – Applications meriting special consideration

Application No : 14/01471/FULL1

Ward:
**Bromley Common And
Keston**

Address : 30 Ninhams Wood Orpington BR6 8NJ

OS Grid Ref: E: 542974 N: 164668

Applicant : Mr Gareth Trevor

Objections : YES

Description of Development:

Demolition of existing dwelling and garages and erection of 1 two storey six bedroom detached dwelling with swimming pool and pool house to rear and detached garage to front with office above.

Key designations:

Conservation Area: Keston Park
Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
Biggin Hill Safeguarding Area
London City Airport Safeguarding
London City Airport Safeguarding
Open Space Deficiency

Proposal

Permission is sought for the demolition of the existing detached dwelling and garages and erection of a two storey six bedroom detached dwelling with swimming pool and pool house to rear and detached garage to front with office above.

Location

The application site is located to the south-western corner of Ninhams Wood and features a two storey detached dwelling with single storey outbuildings. The site is located within the Keston Park Conservation Area

Comments from Local Residents

Nearby owners/occupiers were notified of the application and representations were received as follows:

- vehicular access to the northern boundary
- commercial element that is inappropriate

- overlooking

Comments from Consultees

Highways have raised no objection.

Drainage have raised no objection.

Environmental health raise no objections.

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 Design
H9 Side Space
T3 Parking

Supplementary Planning Guidance 1 and 2
Supplementary Planning Guidance: Keston Conservation Area

Policy 7.15 (Noise) of the London Plan

Planning History

An application to erect a five bedroom detached dwelling was withdrawn in 2002 (ref. 01/03739)

The property received planning permission for a first floor side extension under application ref. 85/01706

Conclusions

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

The application site was visited by the case officer and the aims and objectives of the above policies, national and regional planning guidance, all other material planning considerations including any objections, other representations and relevant planning history on the site were taken into account in the assessment of the proposal.

The majority of the footprint of the replacement dwelling would be situated in a similar location as the current property, although it is noted that the northern flank elevation will be set further away from the boundary with No.28 and the front elevation will be set further back than at present. A good level of side space is

proposed with 4m being allowed for the northern boundary and the small single storey element retaining in the region of 2m. This is considered to improve the spatial relationship with the neighbouring property and would not harm the conservation area.

The overall impact upon the conservation area is considered to be acceptable with the property being of a size and design commensurate with others in Keston Park. The dwelling is well set back from the highway and the spatial standards of the site are improved upon.

the existing garages would be removed and a new building with an office in the roof space would be introduced to the northern boundary to the front of the site. This would not have an impact upon the street scene, however there would be an impact upon the outlook and amenity of the residents of No.28. No flank windows are proposed with one small window within the eaves to the front facing the rear of No. 28. It is not considered there would be any additional noise and disturbance from the location of the garage and the office accommodation is considered ancillary to the main dwelling

Given the height of the garage and the limited overlooking within the context of the existing relationship between the two properties, it is not considered that there would be an unacceptable level of harm to the neighbouring property.

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 conservation area.

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 ACC01 Satisfactory materials (ext'nl surfaces)
ACC01R Reason C01
- 4 ACH03 Satisfactory parking - full application
ACH03R Reason H03
- 5 ACI12 Obscure glazing (1 insert) to the first floor northern
 elevation of the dwelling
ACI12R I12 reason (1 insert) BE1
- 6 ACI12 Obscure glazing (1 insert) to the first floor front elevation of
 the detached garage
ACI12R I12 reason (1 insert) BE1
- 7 ACK01 Compliance with submitted plan

Reason: In order to comply with Policies BE1 and BE11 of the Unitary Development Plan and in the interest of the visual and residential amenities of the area and the character of the Keston Park Conservation Area.

- 8 The noise level from swimming pool plant in terms of dB(A) must remain at all times 5 decibels below the relevant minimum background noise level (LA90 15mins) when measured at any location on the curtilage of the property. Should the plant have a distinctive tonal or intermittent nature the plant noise level shall be increased by a further 5dBA for comparison with the background level.

Reason: In the interests of the amenities of neighbouring properties and in order to comply with Policy 7.15 of the London Plan.

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)).

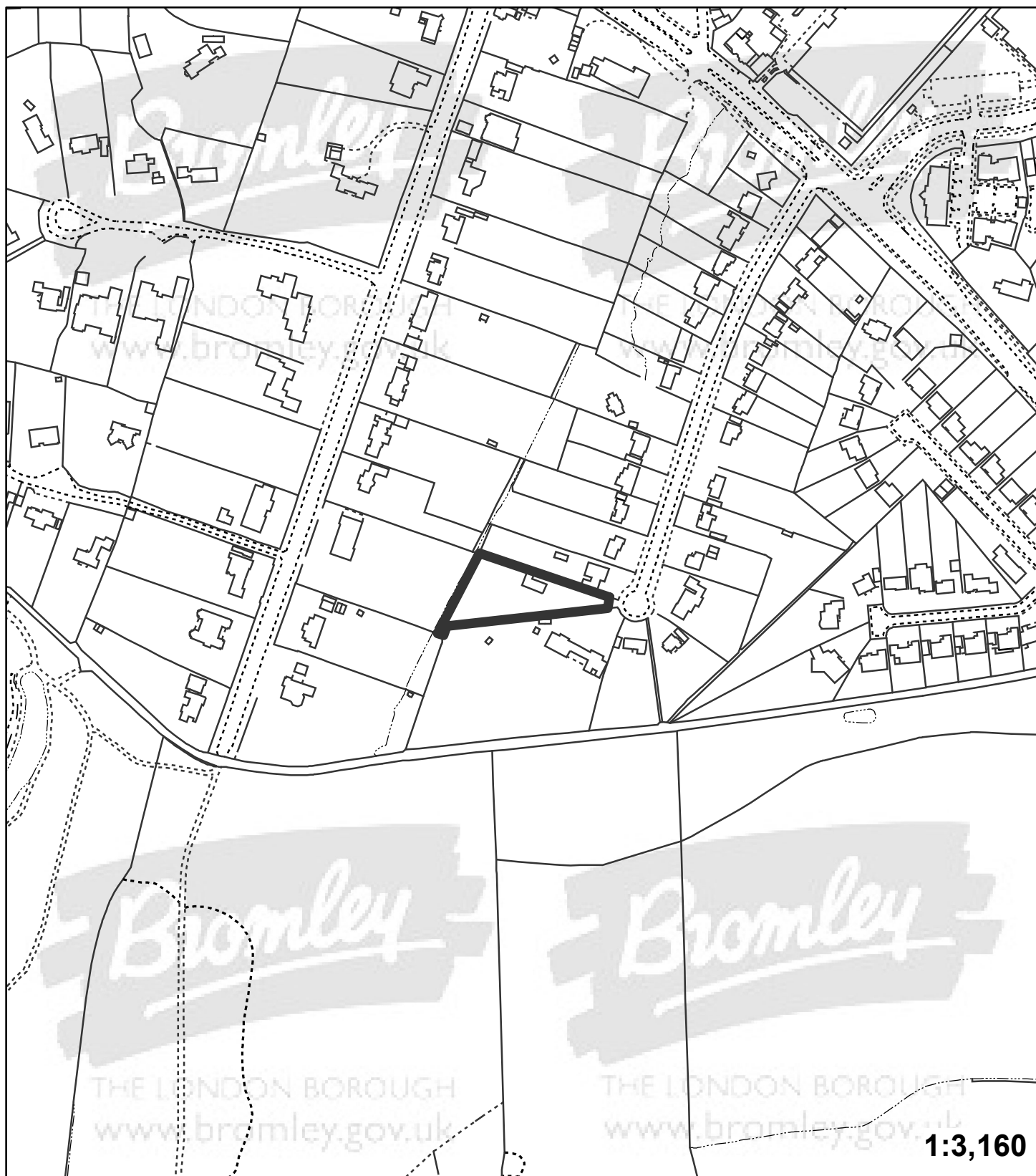
If you fail to follow the payment procedure, the collecting authority may impose surcharges on this liability, take enforcement action, serve a stop notice to prohibit further development on the site and/or take action to recover the debt.

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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