

SECTION '2' – Applications meriting special consideration

Application No : 14/01747/FULL1

Ward:
**Chelsfield And Pratts
Bottom**

Address : Eastern House Clarence Court
Rushmore Hill Orpington BR6 7LZ

OS Grid Ref: E: 547191 N: 162677

Applicant : Andrew Fryatt

Objections : YES

Description of Development:

Single storey side extension to provide car parking and archive store and rearrangement of car parking layout.

Key designations:

Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
Flood Zone 2
Flood Zone 3
London City Airport Safeguarding
Open Space Deficiency

Proposal

Planning permission is sought for a single storey side extension to provide car parking and archive store and rearrangement of car parking layout. The application follows a recent refusal for a two storey scheme under ref. 14/00060.

The proposed building would have a width of approx. 11m at ground floor level and a maximum depth of 9.5m. The roof will have a maximum height of 4.5m with a pitched roof.

Two garages car parking spaces would be provided at ground floor level (in place of existing spaces) and additional single storey garaging would be provided to the side of the building with decking above. The Agent has confirmed that the decked area will be used by No. 9 and 10 Ethel Terrace. The existing parking layout will be re-arranged resulting in a total of 7 spaces for the office use and 4 for the residential properties. The structure surrounding the revised parking layout will be approximately 2.7m in height with a flat roof with sedum planting.

Location

The application site is located on the eastern side of Rushmore Hill, comprising a piece of land to the east of Clarence Court/Connect House, which is currently used as car parking/garaging, and falls within Flood Zones 2 and 3. To the south are dwellings on land at Ethel Terrace.

Comments from Local Residents

Nearby owners/occupiers were notified of the application and representations were received which can be summarised as follows:

- houses are unoccupied
- they are an eyesore to residents in Ethel Terrace
- lack of maintenance
- proposal will make properties inaccessible
- applicant has failed to follow planning guidance for two 'garages' which should not have doors or roof
- site frequently surrounded by traffic
- believe that properties will eventually become further office space for Clarence Court
- plans are unclear- show path/drive and hash pattern at rear of properties
- use of gardens and properties are unclear

Comments from Consultees

Drainage- no objections in principle subject to suggested condition

Highways- no objections in principle

Planning Considerations

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

BE1 Design of New Development
T3 Parking
T18 Road Safety
G6 Land Adjoining Green Belt Or Metropolitan Open Land
EMP2 Office Development
EMP6 Development Outside Business Areas

London Plan Policy 5.12 (Flood Risk Management)
London Plan Policy 5.13 (Sustainable Drainage)

The National Planning Policy Framework is also a consideration.

Planning History

There is extensive planning history relating to the application site. The following recent applications are considered to be of relevance to this case:

06/03312 - application permitted for change of use of garages to offices (Class B1) plus additional car parking at rear of No. 7 Sevenoaks Road.

07/01477 - application refused for amendment to parking spaces permitted as above to form garages as retaining wall. The main concerns related to the provision of garages and the possibility that they would not be utilised as parking spaces, the height and bulk of the garaging and the impact of the loss of a landscaped area to the setting of the development.

08/01126 - application refused for amendment to parking spaces permitted as 06/03312, to provide garages as retaining wall. The main concern related to the provision of the garages and the possibility that they would not be used as parking spaces.

08/02066 - planning permission granted for an amendment to 06/03312 to form garages as retaining wall.

09/00242/RECON - permission refused for removal of condition 4 (no doors shall be fitted to the garages) of permission granted under ref. 08/02066.

09/02155 - planning permission refused for a two storey office building attached to Clarence court, with 9 car parking spaces. The reasons for refusal were as follows:

"The erection of a two storey extension to Unit E, Connect House, by reason of its size, siting and design would appear incongruous and out of character with the existing building and contrary to the visual amenities of the surrounding area thus contrary to Policy BE1 of the Unitary Development Plan.

In the absence of sufficient information to the contrary, the proposed development is lacking in adequate on-site car parking provision which is likely to result in an undue increase in on-street parking demand in the vicinity and in manoeuvring inconvenient to road users and prejudicial to the safety and free flow of traffic, contrary to Policies T3 and T18 of the Unitary Development Plan."

Also of relevance is the grant of permission given at appeal for 2 houses on land at Ethel Terrace under LBB ref. 10/01668/FULL1, which adjoins the application site to the rear. This permission has been implemented.

Planning permission was refused under ref. 11/02391 for a two storey office building (Class B1) adjoining rear of Clarence Court with associated garages and parking. The refusal grounds were as follows:

"The proposed two storey office building, by reason of its height and proximity to the rear boundary of the newly constructed dwellings to the rear on land at Ethel Terrace, would be likely to appear overbearing and result in an unacceptable visual impact and loss of prospect to these properties, detrimental to the amenities that future occupiers of these properties could

reasonably expect to enjoy, contrary to Policy BE1 of the Unitary Development Plan."

Most recently, planning permission was refused under ref. 14/00060 for a two storey side extension to provide ground floor car parking at first floor additional office space with re-arrangement of car parking layout to provide one additional space. The application was refused on the following basis:

"The proposed two storey office building, by reason of its height and proximity to the rear boundary of the newly constructed dwellings to the rear on land at Ethel Terrace, would be likely to appear overbearing and result in an unacceptable visual impact and loss of prospect to these properties, detrimental to the amenities that future occupiers of these properties could reasonably expect to enjoy, contrary to Policy BE1 of the Unitary Development Plan."

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 current application seeks to overcome concerns raised in the recently refused application by reducing the proposed building from two storey to single storey. Members may consider that the reduction in the proposed height would result in a better relationship between the proposal and the newly constructed properties in Ethel Terrace.

The application also includes a decked area above the proposed garages to the rear of the new properties in Ethel Terrace and the Agent has confirmed that this area will be used for future occupiers of the residential properties.

With regard to the proposed changes to the parking layout, a single storey structure is proposed to enclose these spaces. The Council's Highways engineer has not raised objections to the changes and the structure is considered to be in-keeping with the nearby development.

Having had regard to the above Members may consider that the siting, size and design of the proposed extension 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 the files refs. 14/01747 and 14/00060 set out in the Planning History section above, excluding exempt information.

RECOMMENDATION: PERMISSION

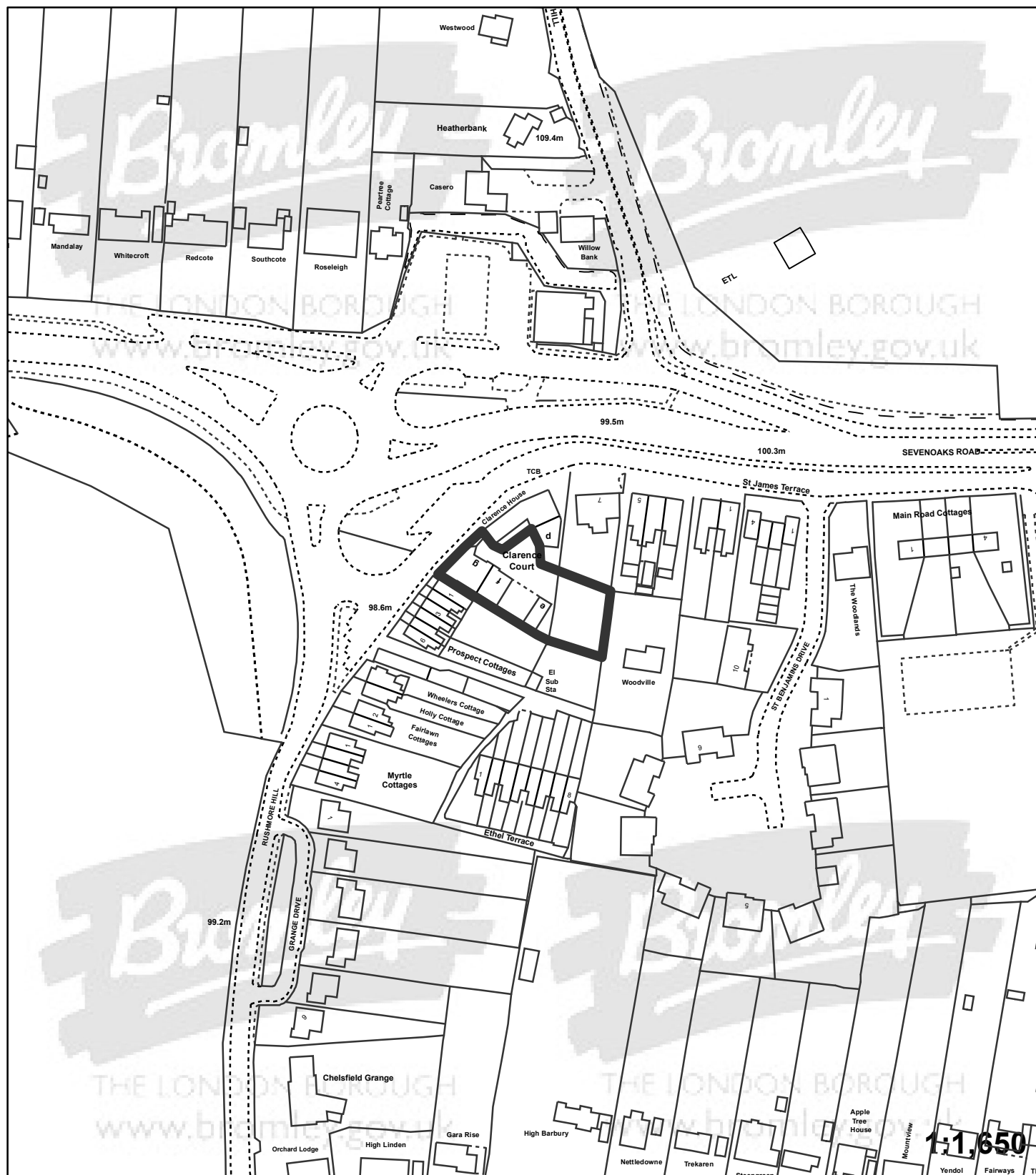
Subject to the following conditions:

- 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 ACC04 Matching materials
ACC04R Reason C04
- 4 ACD02 Surface water drainage - no det. submitt
AED02R Reason D02
- 5 ACH03 Satisfactory parking - full application
ACH03R Reason H03
- 6 The proposed decking will be used only in connection with the residential properties at No.9 and 10 Ethel Terrace and for no other reason unless otherwise agreed in writing by the Local Planning Authority.
ACI14R I14 reason (1 insert) BE1
- 7 ACK01 Compliance with submitted plan
ACK05R K05 reason

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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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