

SECTION '2' – Applications meriting special consideration

**Application No :** 14/01561/OUT

**Ward:**  
**Penge And Cator**

**Address :** 213 Kings Hall Road Beckenham BR3  
1LL

**OS Grid Ref:** E: 536597 N: 170331

**Applicant :** Brookworth Homes Ltd.

**Objections :** YES

**Description of Development:**

Introduction of access road and erection of 6 dwellings comprising 3 pairs of semi-detached houses, parking landscaping OUTLINE APPLICATION

Key designations:

Biggin Hill Safeguarding Birds  
Biggin Hill Safeguarding Area  
Flood Zone 2  
London City Airport Safeguarding  
London City Airport Safeguarding Birds  
Local Distributor Roads

**Proposal**

Outline planning permission is being sought for the construction of 6 dwellings in the form of three pairs of semi-detached houses on land to the rear of 213 Kings Hall Road, Beckenham. The application seeks approval of the creation of an access point to the north of No.215 Kings Hall Road, and the layout of the development. While all other matters (scale, appearance and landscaping) are reserved, the applicants have provided some indicative elevational drawings.

The application is accompanied by significant body of further information including:

- Drainage Statement
- Flood Risk Assessment
- Transport Statement
- Phase 1 Habitat Survey (Ecology)
- Arboricultural Impact Assessment
- Tree Protection Plan

The site measures 0.38ha and is suburban in nature. The proposal for 6 dwellings represents a density of 15.8 dwellings per hectare. The site has a PTAL rating of 2.

Amended documents in the form of a revised swept path analysis of vehicle movements within the site were received on 23rd June 2014.

## **Location**

The application site is currently a large parcel of residential garden land to the rear of Nos. 207-215 Kings Hall Road, currently serving No. 213. The site adjoins residential gardens to the north and east belonging to properties in Lennard Road and Kings Hall Road respectively. Whilst the site has no designation in the adopted UDP it is bound by Metropolitan Open Land (MOL) to the south and Pool River to the west.

The site falls within Flood Zone 2 and the far western edge is covered by a Tree Preservation Order (TPO).

## **Comments from Local Residents**

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

- inappropriate backland development
- impact on wildlife
- additional traffic
- concerns over highway safety
- noise and disturbance
- concerns over loss of garden land
- stress on utilities
- negative impact on neighbouring amenity
- unwelcome precedent
- loss of trees
- concerns over security
- concerns over flooding
- loss of sunlight
- concerns over the findings of the traffic assessment
- concern over the impact of utilities infrastructure
- loss of a model railway
- the applicants misinformed local residents
- concerns that the environmental report is not thorough enough
- the development will not reduce pressure on housing shortage
- open space should be protected
- the houses would be visible from Lennard Road
- the houses should not have front dormer windows as this is out of character
- could lead to further development at adjacent land
- more trees should be planted
- the existing two ponds should be retained
- the proposed houses should be 2 storeys high only
- gardens should back on to gardens
- pressure on local schools

- the layout should be turned 90 degrees
- the scheme does not respect the surroundings
- the proposal does nothing to facilitate cycling
- gates should be installed at the development to reduce crime
- concerns over the possible future use of land r/o 207 Kings Hall Road

The full text of all representations received is available to view on the file.

### **Comments from Consultees**

Technical Highways comments were received which commented initially that while the width of the access road (4.8m) is acceptable, a swept path analysis showing sufficient space for a LB Bromley refuse vehicle was requested from the applicants. On 23rd June this information was received; no objections are raised by the Councils Highways Engineer in respect of this additional information.

Two car parking spaces per new dwelling would be provided, along with secure cycle parking in line with Bromley standards. A series of planning conditions are suggested should consent be granted.

The Councils Drainage Officer has inspected the file and notes that the Council discourages the use of a pump to manage surface water, and the applicant is expected to find other means to store the excess of surface water run-off. This could be suitably controlled by way of an appropriate planning condition. No objection is raised.

Thames Water has advised that, with regard to surface water drainage and water infrastructure capacity, no objection is raised. The full text of the comments received is available to view on the file.

The Environment Agency has been consulted and considers the application as having a low environmental risk. Therefore, no comments are made.

The Councils Designing out Crime Officer has inspected the file and requests that the 'Secure by Design' condition be attached to any consent in order to ensure the development incorporates measures to prevent criminality and provide a safe environment.

The Councils Tree Officer has considered to submitted documentation and undertaken a site visit, and is of the opinion that the Council should not object to the proposal on tree grounds. It is considered that the proposal will have a negligible detrimental impact on the public visual amenity value of the trees within the site that are protected within the TPO numbered 1138A, and trees that adjoin the proposed development site when viewed from public open spaces of: 209 to 217 Kings Hall Road, 169 to 199 Lennard Road and from Cator Park. A series of conditions relating to arboricultural practice are suggested, as well as condition relating to a woodland management plan.

### **Planning Considerations**

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

- BE1 Design of New Development
- BE7 Railings, Boundary Walls and Other Means of Enclosure
- H1 Housing Supply
- H7 Housing Density and Design
- H9 Side Space
- ER4 Sustainable & Energy Efficient Development
- NE7 Development and Trees
- T3 Parking
- T18 Road Safety

In strategic terms the most relevant London Plan 2011 policies are:

- 3.3 Increasing Housing Supply
- 3.5 Quality and Design of Housing Development
- 3.6 Children and Young People's Play and Informal Recreation
- 3.8 Housing Choice
- 5.12 Flood Risk Management
- 5.13 Sustainable Drainage
- 6.3 Assessing Effects of Development on Transport Capacity
- 6.9 Cycling
- 7.3 Designing out Crime
- 7.4 Local Character

The above policies are considered to be consistent with the principles and objectives of the National Planning Policy Framework (NPPF) which is a key consideration in the determination of this application.

The Council's adopted Supplementary Planning Guidance (SPG) documents are also a consideration in the determination of planning applications. These are:

- SPG No.1 - General Design Principles
- SPG No.2 - Residential Design Guidance

### **Planning History**

There does not appear to be any planning history relating to the site on Council records.

### **Conclusions**

The main issues relating to the application are the principle of the development as proposed, 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. Particular regard must be had for noise, disturbance, outlook and the character of the locality.

Properties along this stretch of Kings Hall Road (Nos. 207-215) benefit from deep rear gardens of around 40m, with the application site historically forming an extended garden area at No. 213, although the site would also appear to incorporate an area of additional garden land to the rear of No. 209.

The application is made in outline form. At this stage, permission is being sought for the principle of development together with details of layout and means of access. Details of appearance, landscaping and scale are matters reserved for later consideration.

### Principle of development

The site has no specific designation in the Unitary Development Plan, and Members will note that garden land is exempt from the definition of previously developed land in the National Planning Policy Framework (NPPF). Development on residential garden land is generally resisted, however Policy H7, states at paragraph 4.40 that such development can be acceptable where it is small scale and sensitive to the local area. Where such proposals are deemed satisfactory, residential density in respect of dwellings/ha would be required to be below the levels set out in the London Plan and Table 4.2 of the UDP. The primary objective is to ensure a high standard of residential environment; adequate access should be created, and additional activity arising from the development should not result in an unacceptable level of disturbance to nearby residents. A high standard of separation and high quality landscaping must also be provided.

The site is well separated from surrounding development, with the proposed houses positioned a significant distance from those houses on Kings Hall Road and Lennard Road which adjoin the site. The eastern flank of the new houses would be set between 47m and 50m away from the rear elevations of Nos. 209 to 215 Kings Hall Road, from which the proposed houses would be most visible. The submitted plans also indicate a separation of around 55m to the rear of properties in Lennard Road that back onto the site.

It is noted that the new houses will be visible from surrounding development, however, Members may agree that the level of separation is such that any harmful impact on surrounding amenity in respect of outlook is not sufficient to warrant refusal of planning permission. Suitable screening at the shared boundaries could further alleviate any visual impact. The proposed density would be well below the levels indicated as appropriate in the London Plan.

The houses have been designed with rear gardens of around 11m in depth and around 10m wide. Whilst the Council has no firm guidelines for the level of amenity space expected as part of new development, 3/4 bedroom family homes are most likely to be occupied by families with children. Accordingly, the level of garden space provided is a key consideration. In this instance the amenity spaces provided are commensurate with general standards expected of new housing developments.

### Access onto Kings Hall Road

The application proposes to demolish an existing garage situated to the side of No. 215 Kings Hall Road. Initial comments received from the Councils Highways Engineer requested further evidence that the site had sufficient space for a LB Bromley refuse vehicle to manoeuvre within it. This information has been received and no objection is therefore raised. As far as its design, dimensions and geometry are concerned, the provision of an access way alongside No. 217 would provide a satisfactory means of access to serve the development.

The access itself is acceptable in terms of its physical dimensions, although Members will need to have regard for the potential noise and disturbance that could arise as a result of the development. The development is small scale with six executive style family homes proposed, each with provision of two parking spaces. While an increase in vehicular and pedestrian movements is an inevitable consequence of new development, the suitability of the access point in physical terms and the retained separation from nearby houses in Lennard Road is such that the development is not considered to result in such a level of impact so as to warrant refusal of planning permission.

With regard to landscaping, this would be dealt with a later date, however drawing ref. 13121/P150/A indicates that an acoustic fence would be utilised at the northern boundary towards the flank of No. 217 Kings Hall Road. The provision of new planting and vegetative screening along the northern boundary is a matter which could be secured through a planning condition, which Members may consider is appropriate in this context.

### Layout

The layout, as indicated on the plans, demonstrates a form of development which would provide a level of accommodation in accordance with the minimum space standards and overall unit sizes as set out in the London Plan and the Mayors Housing SPG. Additionally, each unit would have a level of amenity space that would generally accord with the Council's standards for new development, again in accordance with the Mayors guidance.

The submitted plans indicate the houses to be set at 90 degrees to the houses in Kings Hall Road, with gardens facing south. It is assumed that the positioning is in part to allow a preferable alignment in terms of garden orientation. The positioning of the houses also maximises the separation from surrounding properties. Members may agree that the number, type and general style of housing will not undermine the character of the area.

The indicative elevational drawings indicate that the three pairs of semi-detached houses would be separated by around 8.5m, which would accord with the Councils expectations in terms of spatial separation and side space provision set out in Policy H9, and Policy H7 (Housing Density and Design) which states that the site layout and buildings should recognise as well as compliment the qualities of the surrounding area.

### Other considerations

The application is in outline with the matters of layout and access to be determined at this stage. Members will note that the applicants have provided indicative elevation drawings detailing 2.5 storey development with attached single garages. Whilst the scale and appearance of the proposed development is reserved for future determination, the houses have been designed to be similar in nature to others along Kings Hall Road, giving Members a useful guide as to how the site could be developed. With regard to landscaping, this too would be dealt with a later date; however indicative landscaping and boundary treatments are alluded to in the submission and could be further secured by way of planning condition.

From a Trees perspective, the Councils Tree Officer has inspected the Arboricultural Impact Assessment and undertaken a site visit. It is considered that the proposal would have a negligible impact on the public amenity value of the protected trees that adjoin the site, and conditions are suggested that would safeguard against any harm during the construction phase.

The site is within Flood Zone 2, and the Environment Agency has been consulted. They consider the site to have a low environmental risk, and have no comments to make. Notwithstanding this, the Councils Drainage Officer has suggested conditions to ensure appropriate measures are in place from a surface water drainage perspective.

### Conclusion

In summary, Members will be aware that a number of local objections have been raised in respect of the proposed development. Many of these objections are covered above, and Members may agree that suitable planning conditions (as suggested at the end of this report) would ensure appropriate measures are in place to ensure the impact of the development is acceptable. To reiterate, Members will be aware that issues of Appearance, Landscaping and Scale are matters reserved for later consideration.

It should be noted that Government guidance, and that contained within the London Plan and NPPF require Councils to maximise the best use of land where appropriate when considering new residential developments.

In this instance Members may consider that the proposed access is acceptable and in line with adopted standards, and the layout of six houses as detailed on the plans would sit comfortably in the site, making appropriate use of an otherwise underutilised parcel of land. Members may therefore conclude that the development proposed would be compatible with the character and appearance of the wider area. On this basis it is recommended that planning permission be granted, subject to conditions.

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 23.06.2014

## RECOMMENDATION: PERMISSION

Subject to the following conditions:

- 1 ACA02 Details req. pursuant outline permission appearance,  
landscaping and scale  
ACA02R Reason A02
- 2 ACA04 Landscaping Scheme - full app no details  
ACA04R Reason A04
- 3 ACA07 Boundary enclosure - no detail submitted  
ACA07R Reason A07
- 4 ACB18 Trees-Arbicultural Method Statement  
ACB18R Reason B18
- 5 ACB19 Trees - App'ment of Arbicultural Super  
ACB19R Reason B19
- 6 Woodland Management Plan - The design of the foundations of the proposed new dwellings must be sufficient to allow the trees within the woodland order W1 to remain in situ sustainably in close proximity to the new dwellings given the proposed development site is on London clay. The ownership and control of the trees within the woodland order W1 should be placed into a management company to reduce post development pressure on the trees from the proposed new dwellings.  
ACB20R Reason B20
- 7 ACC03 Details of windows  
ACC03R Reason C03
- 8 ACC08 Satisfactory materials (all surfaces)  
ACC08R Reason C08
- 9 The development permitted by this outline planning permission shall not commence until a surface water drainage scheme for the site based on sustainable drainage principles, and an assessment of the hydrological and hydro geological context of the development has been submitted to, and approved by, the Local Planning Authority. The surface water drainage strategy should seek to implement a SUDS hierarchy that achieves reductions in surface water run-off rates to Greenfield rates in line with the standard of the Mayor's London Plan.  
**Reason:** To reduce the impact of flooding both to and from the proposed development and third parties, and in order to comply with Policies 5.12 and 5.13 of the London Plan.
- 10 ACH01 Details of access layout (2 insert)  
ACH01R Reason H01
- 11 ACH02 Satisfactory parking - no details submit  
ACH02R Reason H02
- 12 ACH04 Size of parking bays/garages  
ACH04R Reason H04
- 13 ACH05 Size of garage  
ACH05R Reason H05
- 14 ACH16 Hardstanding for wash-down facilities  
ACH16R Reason H16
- 15 ACH17 Materials for estate road  
ACH17R Reason H17



16 ACH29 Construction Management Plan  
ACH29R Reason H29

17 ACI01 Restriction of all "pd" rights

**Reason:** To ensure that any proposals for extensions or outbuildings to the properties hereby approved, can be considered by the Council and that the potential for any impact on the amenities of the occupiers of surrounding properties can be properly assessed and to accord with Policy BE1 of the Unitary Development Plan.

18 The dwellings hereby permitted shall not be more than 10.0m in height.

ACI17R I17 reason (1 insert) BE1

19ACI11 Obscure glaz'g/details of opening (1 in) in the first floor flank elevations

ACI11R Reason I11 (1 insert) BE1

20ACI20 Lifetime Homes Standard/wheelchair homes

ADI20R Reason I20

21ACI21 Secured By Design

ACI21R I21 reason

22ACK01 Compliance with submitted plan

ACK05R K05 reason

23ACK05 Slab levels - no details submitted

ACK05R K05 reason

24 No loose materials shall be used for the surfacing of the parking and turning area hereby permitted.

**Reason:** In the interests of the residential amenities of the area and in order to comply with Policy BE1 of the Unitary Development 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](http://www.bromley.gov.uk/CIL)

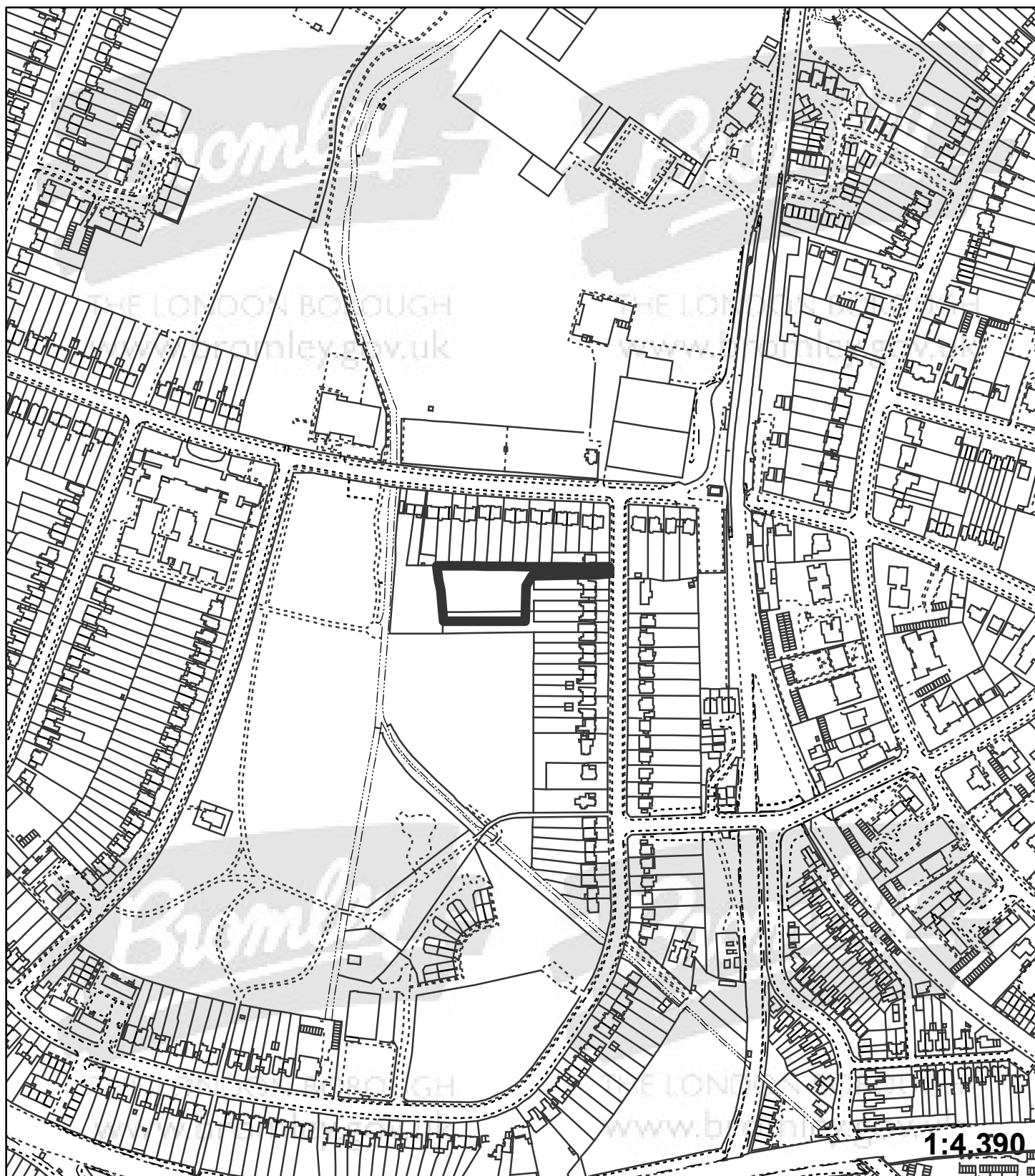
2 In order to discharge the condition relating to surface water drainage the following information is needed:

- A clearly labelled drainage layout plan showing pipe networks and any attenuation ponds, soakaways and drainage storage tanks. This plan should show any pipe "node numbers" that have been referred to in network calculations and it should also show invert and cover levels of manholes.
- A manhole schedule.
- Confirmation of the critical storm duration.
- Confirmation of the greenfield discharge rate, with any flow control devices indicated on the plan with the rate of discharge stated. -
- Calculations showing the volume of attenuation provided, demonstrating how the system operates during the 1 in 100 year critical duration storm event. If overland flooding occurs, a plan should also be submitted detailing the location of overland flow paths.
- Where infiltration forms part of the proposed stormwater system such as infiltration trenches and soakaways, soakage test results and test locations are to be submitted in accordance with BRE digest 365.

**Application:**14/01561/OUT

**Address:** 213 Kings Hall Road Beckenham BR3 1LL

**Proposal:** Introduction of access road and erection of 6 dwellings comprising 3 pairs of semi-detached houses, parking landscaping  
**OUTLINE APPLICATION**



"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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