

SECTION '2' – Applications meriting special consideration

Application No : 13/03530/RECON

Ward:
Bromley Town

Address : 29 Gwydyr Road Bromley BR2 0EX

OS Grid Ref: E: 539946 N: 168875

Applicant : Mr Paul Evans

Objections : YES

Description of Development:

Removal of condition 5 of planning permission reference 11/00407 requiring arrangements to be in place to ensure that, with the exception of disabled persons, no resident of the development shall obtain a residents parking permit within any controlled parking zone which may be in force in the vicinity of the site at anytime.

Key designations:

Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
Bromley Town Centre Area Buffer 200m
Flood Zone 2
Flood Zone 3
London City Airport Safeguarding
London City Airport Safeguarding Birds

Proposal

This application seeks the removal of condition 5 of planning permission ref. 11/00407 requiring arrangements to be in place to ensure that, with the exception of disabled persons, no resident of the development shall obtain a residents parking permit within any controlled parking zone which may be in force in the vicinity of the site at any time.

Location

The site is located on the east side of Gwydyr Road, within a residential location.

Comments from Local Residents

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

Concerns are raised in that :

- there has been no reduction in the demand on parking in the immediate vicinity
- roads are regularly congested with parked vehicles
- there is an access road to the rear of Gwydyr Road - this is regularly parked in, with so many cars it is not possible to drive down it
- demand for parking exceeds spaces available

Comments are added that:

- if an additional parking space is created outside the house and the yellow line removed - would not object

Comments from Consultees

Highways comments note that the proposal is located within Bromley Town Centre (Outer Zone) Controlled Parking Zone (CPZ). The original development has resulted in loss of off street parking spaces. Furthermore there is no provision for off street parking space(s), which would add to the parking stress within the area. Based on 2001 census results, car ownership in Bromley Town ward was approx. 1.04car per household. Considering that the available census information is approximately 13 years old, and the growth in car ownership level since 2001, greater parking demand is likely to exist now. The submitted parking survey is noted. Highways concerns are raised that the demand for parking has not reduced in this vicinity and removal of Condition 5 would add to parking stress therefore in principle the application cannot be permitted as it will set a precedent and therefore the removal of condition 5 is not recommended.

Highways additional comments advise that even in the event an additional bay is implemented this would not address their objections raised as the bay would be for public use and not for the sole use of the applicant.

Planning Considerations

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

T3 Transport and Road Safety

and Supplementary Planning Guidance

Planning History

Outline planning permission, ref. 07/02923, was granted, subject to conditions, for a detached two storey three bedroom dwelling on land adjacent 27 Gwydyr Road.

Highways comments at the time raised no objections to car free housing in this location, subject to the developer entering into an agreement that the new occupiers would not be eligible for a parking permit. An informative was included on the planning decision notice advising future owners/occupiers of the dwelling would not be eligible for parking permits.

Planning permission, ref. 11/00407, was granted for the detailed development, subject to planning conditions including Condition 5 the subject of this application.

Application ref. 12/01705 was subsequently submitted to seek the removal of condition 5 (Before the development hereby permitted is occupied arrangements shall be agreed in writing with the Local Planning Authority and be put in place to ensure that, with the exception of disabled persons, no resident of the development shall obtain a resident's parking permit within any controlled parking zone which may be in force in the vicinity of the site at any time.) of permission ref. 11/00407.

This was refused for the following reason:

The removal of Condition 5 would add to the parking stress within the area and would be contrary to the aims of Policy T3 which seeks to avoid development which is likely to lead to parking inconvenient to other road users and be detrimental to amenities and road safety.

Conclusions

The planning merits of the development now built and known as 29 Gwydyr Road (application site) were considered by planning permission refs. 07/02923 and 11/00407 and whilst representations were put forward by the applicants at the time relating to parking, no Highway objection was raised to car free housing in this location. This was however subject to restrictions; in order to address pressure on the existing parking demand in the area future residents of the development should not be eligible to apply for parking permits. It should be noted there are some 'free' (non-restricted) spaces on Gwydyr Road, which could be utilised by future occupier(s).

The planning history reveals the continued highway concern, that to allow this type of development (without the restrictive condition) is that similar developments will start applying resulting in unsustainable number of parking permits.

The applicant has been advised that if the health condition entitled an application for and the issuing of a disabled persons parking badge, it may be the case that the requirements of condition 5 can be met without having to apply to have the Condition removed (or varied).

The applicant has advised that they were unaware of the restriction prior to moving in; they have also indicated that a member of the family has significant health problems. The applicant has provided confirmation from the doctors in this respect, in order to support the application.

Members may consider that the removal of Condition 5 would add to the parking stress within the area and would be contrary to the aims of Policy T3 which seeks to avoid development which is likely to lead to parking inconvenient to other road users and be detrimental to amenities and road safety.

However, Members will note there is provision within the Condition for disabled persons to obtain a residents parking permit; the applicant has advised that they do

not think they are eligible for a 'blue badge'. Given there are specific health reasons as highlighted by medical confirmation Members may consider that special circumstances are put forward in this particular case sufficient to allow for the provision of a parking permit in this particular instance, subject to a limited period of time in order that the situation can be reconsidered in the light of the circumstances at that time.

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 16.01.2014 09.07.2014

RECOMMENDATION: APPROVAL

subject to the following conditions:

- 1 ACA01 Commencement of development within 3 yrs
 ACA01R A01 Reason 3 years
- 2 ACA07 Boundary enclosure - no detail submitted
 ACA07R Reason A07
- 3 ACD02 Surface water drainage - no det. submitt
 AED02R Reason D02
- 4 ACH24 Stopping up of access
 ACH24R Reason H24
- 5 Before the development hereby permitted is occupied arrangements shall be agreed in writing with the Local Planning Authority and be put in place to ensure that, with the exception of disabled persons, no resident of the development shall obtain a resident's parking permit within any controlled parking zone which may be in force in the vicinity of the site at any time. A resident's parking permit may be obtained by Mrs Paul Evans for the period of time up to and including 14th March 2016.
Reason: In order to comply with Policy T3 of the Unitary Development Plan and to avoid development without adequate parking or garage provision, which is likely to lead to parking inconvenient to other road users and would be detrimental to amenities and prejudicial to road safety, and in order that the situation can be reconsidered in the light of the circumstances at that time.
- 6 ACI02 Rest of "pd" Rights - Class A, B,C and E
 ACI03R Reason I03
- 7 ACI12 Obscure glazing (1 insert) at first floor level in the flank elevations
 ACI12R I12 reason (1 insert) BE1

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Proposal: Removal of condition 5 of planning permission reference 11/00407 requiring arrangements to be in place to ensure that, with the exception of disabled persons, no resident of the development shall obtain a residents parking permit within any controlled parking zone which may



"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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