

SECTION '2' – Applications meriting special consideration

Application No : 14/03044/FULL1

Ward:
Petts Wood And Knoll

Address : 80 Crescent Drive Petts Wood
Orpington BR5 1BD

OS Grid Ref: E: 544238 N: 167134

Applicant : Mr Terence Willis

Objections : YES

Description of Development:

Erection of a detached two storey three bedroom dwelling on land rear of 78-80 Crescent Drive with vehicular access onto Shepperton Road.

Key designations:

Biggin Hill Safeguarding Birds Aldersmead Road
Biggin Hill Safeguarding Area
London City Airport Safeguarding

Proposal

- The proposal seeks planning permission for a two storey dwelling fronting onto Shepperton Road.
- The building will have a width of 17.0 metres and a depth of 9.0m. A rear garden of 4.5 metres in depth is proposed. The dwelling will have a pitched roof with a height of 6.5m.
- The existing vehicular access onto Shepperton Road will be utilised for the new development, with parking space provided to the side of the house.
- An arboricultural report has been submitted with the application which addresses the impact on the protected trees near to the site.

Location

The application site is located to the southern edge of Shepperton Road and occupies the rear of the rear gardens of Nos. 78 and 80 Crescent Drive. The rear of No.78 is subject to a Tree Preservation Order. The area is characterised by predominantly two storey dwellings set in spacious plots.

Comments from Local Residents

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

- such a development is excessive in scale
- impact on the character of the area

The Petts Wood & District Residents' Association (PWDRRA) has objected on the basis of overdevelopment of the site which would erode existing gardens and provide an inadequate garden for the future dwelling. The proposal would be excessively prominent in the street scene.

Comments from Consultees

No technical highways objections are raised subject to conditions.

No technical drainage objections are raised subject to a condition to any permission that may be granted.

The Council's Tree Officer has raised no objection to the proposal.

Planning Considerations

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

BE1 Design of New Development
H7 Housing Density and Design
H9 Side Space
NE7 Development and Trees
T3 Parking
T18 Road Safety

Supplementary Planning Guidance 1 and 2

London Plan Policy 3.4 Optimising Housing Potential
London Plan Policy 3.5 Quality and Design of Housing Developments
The Mayor's Housing Supplementary Planning Guidance (SPG) November 2012

The National Planning Policy Framework

Planning History

Planning permission was refused under ref. 13/02947 for erection of detached single storey dwelling with accommodation within roofspace and access onto Shepperton Road. The refusal grounds were as follows:

'The proposal would, by reason of its size, location, scale and design, represent the introduction of an unacceptable form of development that would be harmful to the character of the area and contrary to Policies BE1 and H7 of the Unitary Development Plan and the National Planning Policy Framework.

The proposal would constitute a cramped overdevelopment of the site, out of character with surrounding development, lacking in adequate amenity space and harmful to the spatial standards of the area, thereby contrary to Policies BE1 and H7 of the Unitary Development Plan and the Paragraph 53 of the National Planning Policy Framework (2012).

The proposal, by reason of the inadequate dimensions of the garage and parking area, would represent an unacceptable level of parking provision that is likely to result in on-street parking and the overhanging of the footway by vehicles, harmful to the safety of pedestrians and contrary to Policies T3 and T18 of the Unitary Development Plan and the National Planning Policy Framework.

The proposal, in the absence of evidence to the contrary, is likely to result in the loss of mature trees on the site subject to Tree Preservation Order No. 373 which contribute significantly to the visual amenities of the area and would therefore be contrary to Policies BE1 and NE7 of the Unitary Development Plan.'

Planning permission was refused under ref. 13/04265 for erection of a detached two storey three bedroom dwelling on land rear of 78-80 Crescent Drive with vehicular access onto Shepperton Road. The refusal grounds were as follows:

'The proposal would, by reason of its size, location, scale and design, represent the introduction of an unacceptable form of development that would be harmful to the character of the area and contrary to Policies BE1 and H7 of the Unitary Development Plan and the National Planning Policy Framework.

The proposal would constitute a cramped overdevelopment of the site, out of character with surrounding development, lacking in adequate amenity space and harmful to the spatial standards of the area, thereby contrary to Policies BE1 and H7 of the Unitary Development Plan and the Paragraph 53 of the National Planning Policy Framework (2012).

The proposal, in the absence of evidence to the contrary, is likely to result in the loss of mature trees on the site subject to Tree Preservation Order No. 373 which contribute significantly to the visual amenities of the area and would therefore be contrary to Policies BE1 and NE7 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, the protected trees to the rear of the site, highway and pedestrian safety and the impact that it would have on the amenities of the occupants of surrounding residential properties.

It is proposed to erect a two storey dwelling fronting onto Shepperton Road. The building has a width of 17.0 metres and a depth of 9.0m. A rear garden of 4.5

metres in depth is allowed for with boundaries to the rear gardens of Nos. 76, 78 and 80 Crescent Drive and Nos. 71 and 73 Nightingale Road. The proposed dwelling is similar in size and scale to that previously refused under ref. 13/04265.

The dwelling itself is substantial with a footprint of 133 square metres and would occupy a large proportion of the existing rear gardens; in this regard it is noted that the footprint of the semi-detached dwellings of Crescent Drive, such as Nos. 78 and 80, is some 46 square metres. The NPPF and Policy H7 both seek to resist development of this type where it would be out of character to the area and harmful to the amenities of neighbouring residents. It is considered that the introduction of such a degree of built form at this location would be visually prominent and out of character with the area.

Due regard is given to the property at the opposite side of Shepperton Road situated at No.71, which was formerly the rear of 75 Nightingale Road and features a single storey detached dwelling. This was permitted in 1965 and given the significant changes in planning policy since that time it is considered that this development only carries very limited weight as a precedent and not enough to justify the harm to the character of the area represented by this proposal.

The proposed dwelling would have a rear garden with a depth of 4.5 metres whilst reducing the depth of the rear gardens of Nos. 78 and 80. The depth of the proposed garden would be far less than the normal depth of rear gardens for this area. Similarly the reduced depth of the gardens of Nos. 78 and 80 would be out of character with the area. Whilst the common garden depth of some 30-40 metres is sizeable, it is also the established size of the gardens to these properties throughout the area and both the proposal and the reduction to the gardens of Nos. 78 and 80 is considered out of character with the prevailing norm and would therefore represent a cramped form of development within that context.

The rear of the site, situated to the rear of No.78, is also the subject of a Tree Preservation Order that applies to the rear gardens of Nos. 66-80 Crescent Drive and Nos. 63-71 Nightingale Road. A Tree Survey has been submitted with regard to the impact of the development upon these trees and the Tree Officer has stated that the impacts would not be significant, thereby complying with Policy NE7.

The proposal would include first floor rear windows that would overlook the neighbouring gardens to the rear of the site. Having said this, the views of neighbouring houses would be oblique and the separation from the neighbouring houses is considered suitable to avoid severe overlooking and loss of privacy. The separation is also considered suitable to mitigate any visual impact of the development when viewed from neighbouring dwellings. The development is therefore not considered to impact significantly on the amenities of neighbouring residential properties.

Having regard to the above it is considered that the development in the manner proposed is unacceptable in that it would impact harmfully on the character of the area. It is therefore recommended that Members refuse planning permission.

Background papers referred to during production of this report comprise all correspondence on the files refs. 13/02947, 13/04265 and 14/03044 set out in the Planning History section above, excluding exempt information.

RECOMMENDATION: PERMISSION BE REFUSED

The reasons for refusal are:

- 1 The proposal would, by reason of its size, location, scale and design, represent the introduction of an unacceptable form of development that would be harmful to the character of the area and contrary to Policies BE1 and H7 of the Unitary Development Plan and the National Planning Policy Framework.
- 2 The proposal would constitute a cramped overdevelopment of the site, out of character with surrounding development, lacking in adequate amenity space and harmful to the spatial standards of the area, thereby contrary to Policies BE1 and H7 of the Unitary Development Plan and the Paragraph 53 of the National Planning Policy Framework (2012).

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)).

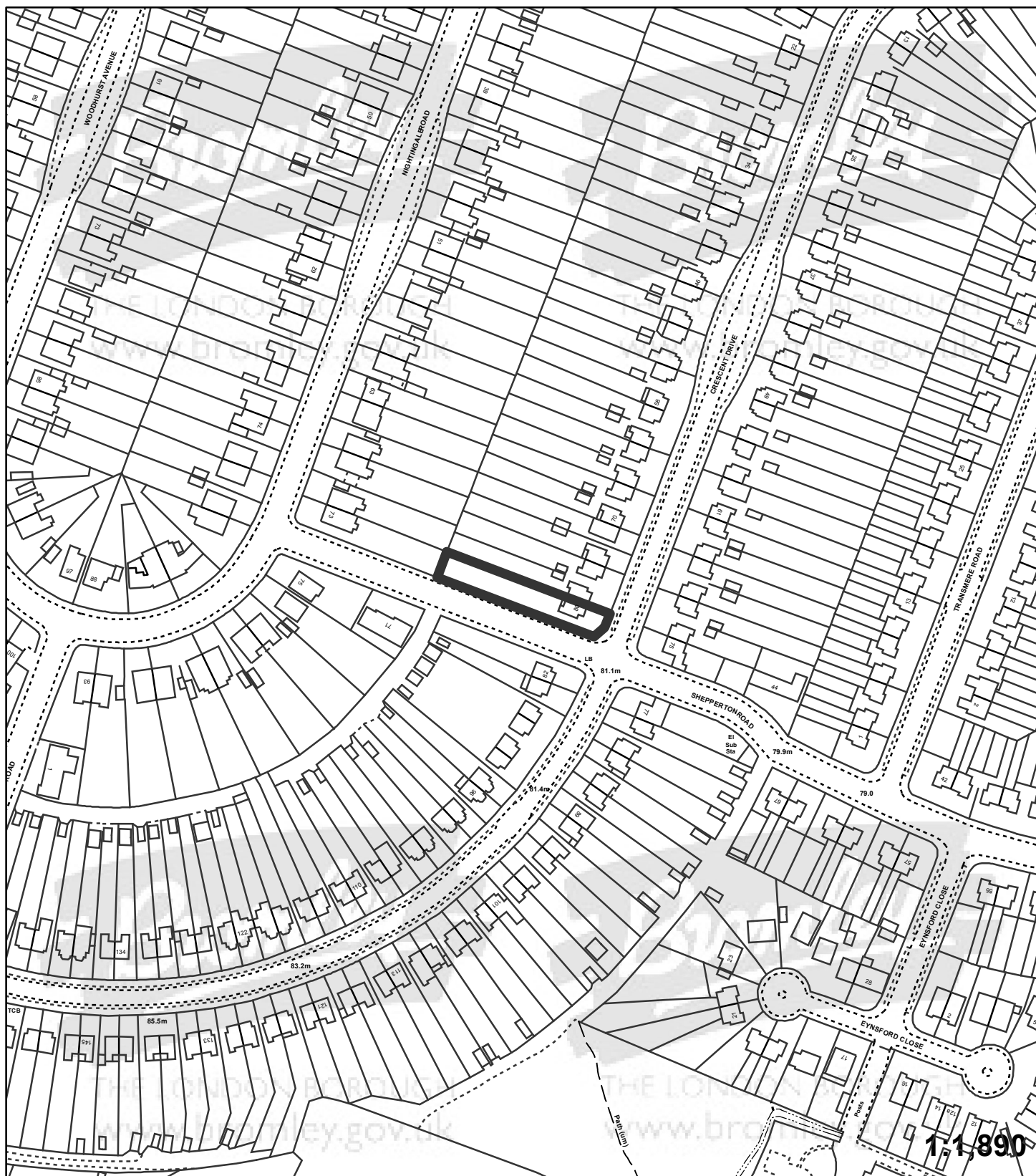
If you fail to follow the payment procedure, the collecting authority may impose surcharges on this liability, take enforcement action, serve a stop notice to prohibit further development on the site and/or take action to recover the debt.

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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