

SECTION '2' – Applications meriting special consideration

Application No : 14/02727/FULL1

Ward:
Plaistow And Sundridge

Address : 49 Park Avenue Bromley BR1 4EG

OS Grid Ref: E: 540131 N: 170593

Applicant : Mr D Francis

Objections : YES

Description of Development:

Demolition of existing dwelling and erection of part two/three storey building, comprising, 3 one bedroom and 5 two bedroom flats with associated car parking and refuse and recycling store.

Key designations:

Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
Green Chain Walk
London City Airport Safeguarding
London City Airport Safeguarding Birds

Proposal

- Demolition of existing single dwelling house
- Replacement two/three storey block of 8 flats, comprising 3 one bedroom and 5 two bedroom flats
- 3 x Juliet balcony windows are proposed at the rear serving the first and second floor flats
- Parking for 8 cars to the front
- The proposed block would allow 2m side space from the eastern boundary and 2.166m to the western boundary
- The building would be three storeys high on the western side adjacent to the nursing home (No.47)
- To the eastern side the development would reduce down to two storeys high
- The building would incorporate a multi-hipped roof design with a stepped ridge height featuring gables and bay windows
- It would have a stepped rear façade with a greater depth towards the centre of the plot
- It also proposes a staggered frontage with the right hand side set back from the left hand side by around 6m

- A covered refuse store is proposed to the western boundary and covered cycle parking within the rear garden with space for 8 bicycles (see amended plan received 3/9/14)
- The amenity area to the rear appears as a communal facility.

Location

The site is a detached, two storey single family dwelling house located on the north side of Park Avenue, within a predominantly residential area. There is a nursing home immediately adjacent to the west (47) and a single storey dwelling to the east (51A) with a two storey building converted into flats (51) attached. Directly opposite the site, to the south, is residential and to the north of the site lay the rear gardens of properties in Quernmore Road and Quernmore Close.

Park Avenue is a wide, straight road with mature street trees and mostly single dwelling houses with attractive landscaped front garden areas. The site is situated between a nursing home and flat conversions but although these are no longer individual dwelling houses due to their converted nature do, to a degree, retain the appearance of individual dwellings.

Comments from Local Residents

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

- block of flats would be out of style and character with the road
- overdevelopment of the site
- 51a is much smaller and would be dwarfed by comparison
- land at rear slopes downhill so rear elevation would effectively be four storeys when viewed from rear
- deed of covenant applies to Park Avenue
- insufficient parking
- addition of cars parked on road presents a hazard for cars turning out of junction
- no disabled parking
- set a precedent for further conversion
- rear elevation would dominate properties in Quernmore Road
- noise and disturbance from manoeuvring of vehicles and number of occupants
- possibility of sub-division of bedrooms giving rise to an increase in occupancy
- impact on sleep and health of nursing home patients
- bulk and dominance would deprive residents of privacy, light and enjoyment of gardens
- will give direct views into 14 Quernmore Close
- landscaping is only a relatively minor improvement
- future residents may have more than 1 car per flat
- would lead to additional parking on Park Avenue

- would conflict with planning permission granted for pedestrian access from Park Avenue to Parish School (ref.13/01690) in terms of parking in Park Avenue
- trees on site should be preserved
- will tower over adjacent property to east blocking out light
- properties to north will be overlooked and lose light
- loss of privacy to nursing home residents
- dirt and dust from construction will affect residents and pose infection control issues
- access to nursing home may be impeded by parking across entrance delaying ambulances
- only purpose-built block of flats in road
- could connect to adjacent nursing home
- size of rear gardens significantly reduced
- view of tree would be lost
- bin and cycle stores visually intrusive
- proposed parking would lead to loss of visual amenity
- loss of privacy from Juliet balconies
- does not address local housing shortage.

Comments from Consultees

The Council's highways Development Engineers have raised no objections to the proposal subject to a number of conditions.

The Council's Environmental Health Officer has raised no objections.

The Council's Drainage Engineer has raised no objections subject to a drainage layout plan being submitted.

No objections are raised in respect of safer neighbourhoods; conditions are suggested in the event of a planning permission.

Environmental Health (Housing) offer comment on fire systems and ventilation to en-suite bathrooms but raise no objection.

Thames Water raise no objection with regard to sewerage or water infrastructure capacity; informatives are suggested in the event of a planning permission.

Planning Considerations

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

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

T18 Road Safety

SPG1 General Design Principles

SPG2 Residential Design Guidance

London Plan:

3.5 Quality and Design of Housing Developments

5.3 Sustainable Design and Construction

5.13 Sustainable Drainage

6.9 Cycling

6.13 Parking

7.4 Local Character

7.6 Architecture

Mayor of London's Housing Supplementary Planning Guidance

NPPF 2012

Planning History

The planning history of the site includes proposals under application refs. 05/03784 and 06/00980 to demolish the house in order to extend the adjacent nursing home. These applications were refused by the Council and dismissed at appeal, regarding issues such as overdevelopment and intensification of use by the Nursing Home.

More recent history includes permission for a two storey side extension, ref.11/03069.

Most recently, permission was refused by the Council for a scheme similar to that here proposed (ref.13/04198) for the following reasons:

- 1 The extent of proposed development would leave a deficiency in the provided amenity area resulting in an overdevelopment of the site by reason of the amount of site coverage by buildings and hard surfaces and would be out of character with the area contrary to Policies H7 and BE1 of the Unitary Development Plan.
- 2 The proposed development by reason of its excessive bulk, mass and site coverage, and insufficient car parking would constitute an overdevelopment of the site, harmful to the character of the area, thereby contrary to Policies H7 and BE1 of the Unitary Development Plan

Conclusions

The main issues relating to the application are the effect of the proposal on the character and appearance of the area, the effect of the proposal on the living conditions of neighbouring occupiers in relation to privacy, outlook, light, noise and disturbance and highways considerations.

In refusing the previous application the Council did not object to the principle of a flatted development in this particular location. However, it was considered that the amount of development proposed combined with the building's bulk, mass and site coverage by building and hard surfaces, would lead to an overdevelopment of the site. Consequently, the applicant has amended the scheme by reducing the number of flats from 9 to 8, reducing the overall depth of the building and lowering the ridge height on the eastern side from three to two storeys. The number of parking spaces has also been reduced from 9 to 8 and has been moved further away from the front and side boundaries, allowing for much denser screen planting adjacent to the highway boundary and along the western boundary.

In terms of density, the supporting statement advises that the site has an area of 0.11 hectares, number of habitable rooms proposed at 21 with the resulting density of development at 190hr/ha. The London Plan indicates a guide of 150-250hr/ha for a PTAL rating 2 location. It is noted that some of the room sizes are large and pose the potential for division, however, given that the density rating would be at the lower end of the London Plan's guidelines, this aspect of the proposal is considered acceptable.

While the frontage of the site would still largely consist of hard landscaping, the reduction in parking bays and re-configuration of the parking layout would provide the opportunity to create an attractive setting with soft landscaping, including trees at the front, which would help to screen the parking area from within the street scene. No.49 currently benefits from a large rear garden in comparison to its immediate neighbours at 47, 51A, 51 and the properties to the north. Therefore, despite the increased footprint from that of the existing dwelling, due to the staggered building line proposed at the rear, the development would not lead to a significant reduction in the spaciousness of this site. Landscaping and boundary enclosure conditions are recommended to ensure a satisfactory setting for the development.

In terms of its overall scale and massing, the proposed building has been reduced to two storey's on its eastern side adjacent to 51A which is a single storey building with accommodation within the roof. This reduction in height provides a more comfortable transition in scale of the three buildings within the street scene, with the lower ridge height measuring only 1m (approx.) higher than that of 51A. Furthermore, the stepped-back building line of this part of the proposal would result in this part of the building being even less prominent and, overall, the design approach in terms of its staggered building line, step in ridge height, use of gables and features such as the bay windows and fenestration detail is considered to result in a proposed development which would not appear unduly bulky within the street scene. In addition, minimum side spaces of 2m are allowed to each boundary providing adequate visual separation between the buildings.

Aside from the issues addressed above, local objections are also concerned with the difference in levels in the vicinity resulting in the properties to the rear being at a lower level than the application site. Appeal decisions (see above) for development across the site to extend the existing nursing home saw the Inspector opine that the proposed extensions would result in a structure that would appear incongruous with its surroundings and because of its size and elevated position

would dominate the nearby dwellings. The current scheme does propose a larger building than currently exists, however, it differs from the appeal scheme, not only in respect of use, but that it is a separate, stand-alone development rather than an extended development across two sites. Furthermore, the use of staggered building lines and lowered roof height would help to diminish its visual impact.

Concerns are also raised in respect of overlooking, overshadowing and the impacts from the scale, bulk and height of the proposal. Flank windows to the adjacent sites are noted; the impact from the proposed flank windows is unlikely to be significant enough to warrant a planning ground of refusal given their location and purpose and that the use of obscure glazing and opening details can be subject to planning condition.

The configuration of single storey extensions to the rear of the adjacent nursing home results in a particularly sensitive relationship to the proposed development but this is considered to be addressed by the use of staggered rear building line and greater separation to this element.

It is the case that the Juliet balconies to the rear elevation combined with the rear elevation set deeper into the site does increase the potential of overlooking of adjacent garden areas. However, it is accepted that there is a degree of overlooking that will exist in suburban areas such as this and, given the distances involved and the oblique nature of the potential overlooking it is not considered sufficiently detrimental to raise a planning ground of refusal in this respect. Members may also note that no ground relating to neighbouring amenity was found to be sustainable in the previous refusal of planning permission.

Some objectors have raised the issue of a deed of covenant in place in Park Avenue, however, this would be a private legal matter, not falling under the control of Planning legislation.

No significant trees are affected by the proposal and therefore no objections are raised in this respect.

Amended plans were received on 3rd Sep 2014 showing additional cycle parking stands within the proposed structure as well as introducing security lighting to the rear garden path and a side pedestrian access gate. From a highways perspective the proposal is considered acceptable in that it would not have a significant impact on road safety or parking within the vicinity of the site.

An enclosed bin store would be located adjacent to the western boundary of the site measuring 2.3m in height and is unlikely to have an undue impact on neighbouring residents of the nursing home given its scale, enclosed nature and location in relation to adjacent windows.

Background papers referred to during production of this report comprise all correspondence on the files refs. 14/02727 and 13/04198 set out in the Planning History section above, excluding exempt information.

as amended by documents received on 03.09.2014

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 ACA07 Boundary enclosure - no detail submitted
 ACA07R Reason A07
- 4 ACC01 Satisfactory materials (ext'nl surfaces)
 ACC01R Reason C01
- 5 ACD02 Surface water drainage - no det. submitt
 AED02R Reason D02
- 6 ACH03 Satisfactory parking - full application
 ACH03R Reason H03
- 7 ACH04 Size of parking bays/garages
 ACH04R Reason H04
- 8 ACH16 Hardstanding for wash-down facilities
 ACH16R Reason H16
- 9 ACH19 Refuse storage - implementation
 ACH19R Reason H19
- 10 ACH22 Bicycle Parking
 ACH22R Reason H22
- 11 ACH23 Lighting scheme for access/parking
 ACH23R Reason H23
- 12 ACH29 Construction Management Plan
 ACH29R Reason H29
- 13 ACH32 Highway Drainage
 ADH32R Reason H32
- 14 Before the development hereby permitted is first occupied the proposed window(s) in the first and second floor western elevation and eastern flank elevations shall be obscure glazed in accordance with details to be submitted to and approved in writing by the Local Planning Authority and details of any openings shall be submitted to and approved in writing by the Local Planning Authority and shall subsequently be permanently retained in accordance with the approved details. In the interests of the privacy of adjoining properties any openings should be at high level.
 ACI11R Reason I11 (1 insert) BE1
- 15 ACI17 No additional windows (2 inserts) flank development
 ACI17R I17 reason (1 insert) BE1
- 16 ACI21 Secured By Design
 ACI21R I21 reason
- 17 ACK01 Compliance with submitted plan

Reason: In order to comply with Policies BE1 and H7 of the Unitary Development Plan and in the interest of the visual and residential amenities of the area.

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

Reason: In order to comply with Policy T18 of the Unitary Development Plan and in the interest of the amenities of the area.

19 Before any part of the development is first occupied, bicycle parking (including covered storage facilities) shown on the approved drawings shall be completed and permanently retained thereafter.

ACH22R Reason H22

20 In order to check that the proposed storm water system meets our requirements, we require that the following information be provided:

- a clearly labelled drainage layout plan showing pipe networks and any attenuation soakaways
- where infiltration forms part of the proposed storm water system such as soakaways, soakage test results and test locations are to be submitted in accordance with BRE digest 365
- calculations should demonstrate how the system operates during the 1 in 30 year critical duration storm event plus climate change.

AED02R Reason D02

21 Details shall be submitted to and approved in writing by the Local Planning Authority of proposals for the construction of all dwellings hereby permitted as "Lifetime Homes" in accordance with Policy 3.8 of the London Plan prior to commencement of the development hereby permitted. The dwelling shall be constructed in accordance with the approved details.

Reason: In order to comply with Policy 3.8 of the London Plan.

22 No development shall commence until an arboricultural method statement for the protection of trees shown retained both on and immediately adjoining the site and as described by British Standard BS 5837:2012 is submitted to and approved in writing by the Local Planning Authority. The arboricultural method statement shall also include means of any special methods of construction for excavation, foundations and new hardsurfaces. Once approved the works shall be implemented as specified in the method statement prior to the commencement of work on site, and shall be maintained to the Local Planning Authority's reasonable satisfaction until the completion of the development.

ACB18R Reason B18

INFORMATIVE(S)

1 You should contact extension 4621 (020 8313 4621 direct line) at the Environmental Services Department at the Civic Centre with regard to the laying out of the crossover(s) and/or reinstatement of the existing crossover(s) as footway. A fee is payable for the estimate for the work which is refundable when the crossover (or other work) is carried out. A form to apply for an estimate for the work can be obtained by telephoning the Highways Customer Services Desk on the above number.

2 With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary.

Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

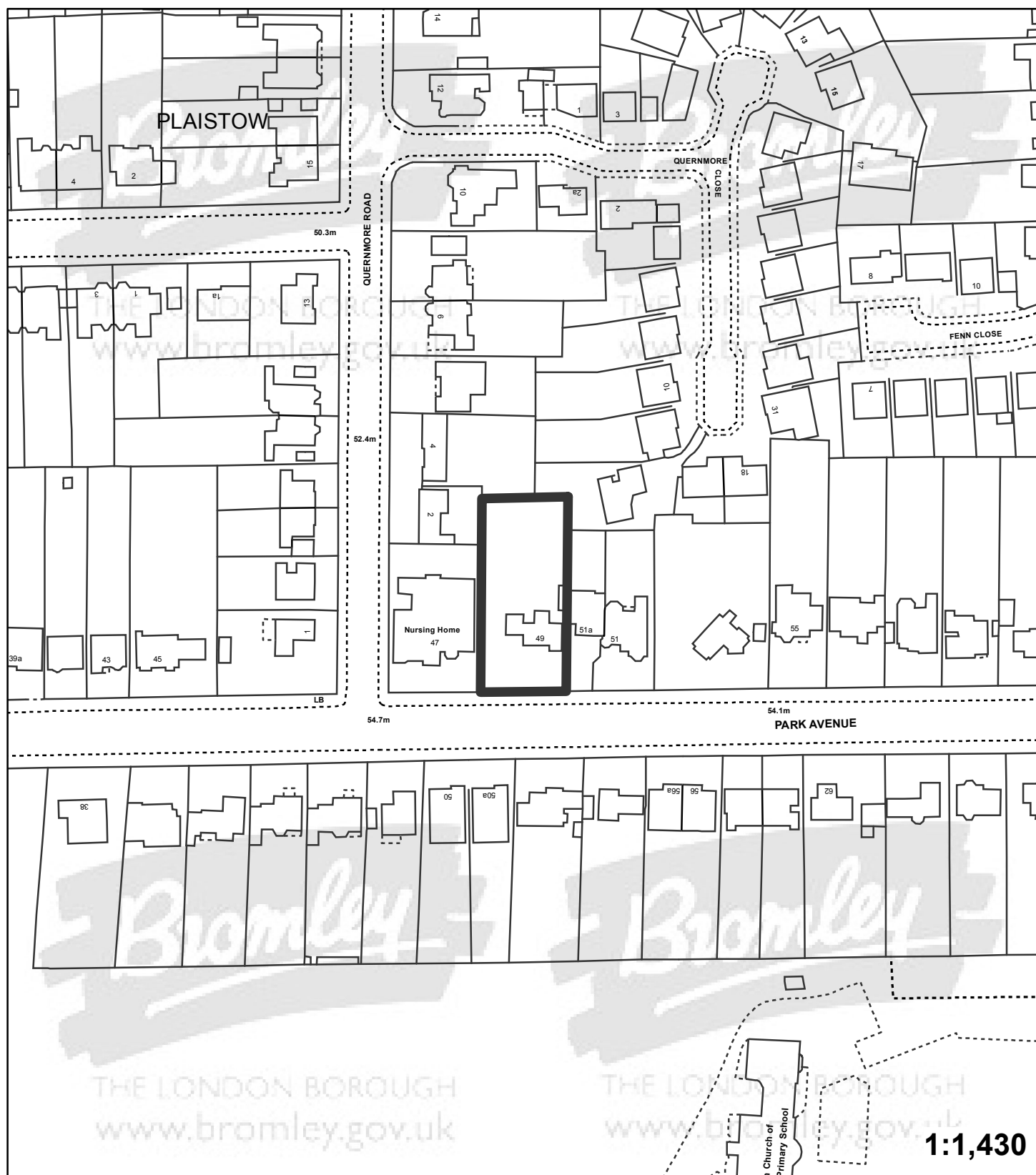
- 3 Legal changes under The Water Industry (Scheme for the Adoption of private sewers) Regulations 2011 mean that the sections of pipes you share with your neighbours, or are situated outside of your property boundary which connect to a public sewer are likely to have transferred to Thames Water's ownership. Should your proposed building work fall within 3 metres of these pipes we recommend you contact Thames Water to discuss their status in more detail and to determine if a building over / near to agreement is required. You can contact Thames Water on 0845 850 2777 or for more information please visit our website at www.thameswater.co.uk
- 4 Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.
- 5 Any repositioning, alteration and/ or adjustment to street furniture or Statutory Undertaker's apparatus, considered necessary and practical to help with the modification of vehicular crossover hereby permitted, shall be undertaken at the cost of the applicant.
- 6 You are advised that this application is considered to 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)). The Levy will appear as a Land Charge on the relevant land with immediate effect.

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.

Application:14/02727/FULL1

Address: 49 Park Avenue Bromley BR1 4EG

Proposal: Demolition of existing dwelling and erection of part two/three storey building, comprising, 3 one bedroom and 5 two bedroom flats with associated car parking and refuse and recycling store.



"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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