

SECTION '2' – Applications meriting special consideration

Application No : 14/03768/FULL1

Ward:
Petts Wood And Knoll

Address : 26 Mayfield Avenue Orpington BR6 0AL

OS Grid Ref: E: 545635 N: 166690

Applicant : Berwood Homes Ltd

Objections : YES

Description of Development:

Detached two storey 4 bedroom dwelling with integral garage and vehicular access on Land to the rear of Nos. 26 and 28 Mayfield Avenue fronting Brookside.

Key designations:

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

Proposal

It is proposed to construct a detached two storey 4 bedroom dwelling with an integral garage on this site, which would be accessed from Brookside to the north. The dwelling would be 11m in width and 10m in depth, with an additional 3.15m deep single storey rear element, and it would have a maximum height of 8m. A separation of 1.7m would be provided to the western flank boundary with No.1 Brookside, whilst a minimum separation of 1m would be retained to the new rear boundaries of Nos.26 and 28 Mayfield Avenue.

The new dwelling would have a garden depth of between 15.6-18.6m, and garden depths of 25-28m would be retained for the dwellings at Nos.26 and 28 Mayfield Avenue.

Location

The site comprises part of the rear gardens of Nos.26 and 28 Mayfield Avenue, and fronts onto Brookside which is a small cul-de-sac containing 13 properties. The site measures 13.7m in width and 34-35m in depth, and vehicular access would be from Brookside.

Opposite the site are two dwellings (Nos.12 and 13 Brookside) which were constructed in the late 1970s on part of the rear gardens of Nos.22 and 24 Mayfield Avenue, permission having been granted on appeal under ref.75/02397.

Comments from Local Residents

Letters of objection have been received from nearby residents and Knoll Residents' Association, and the main points raised are summarised as follows:

- increased pressure on parking in Brookside
- proposals would be detrimental to highway safety
- back gardens should not be developed at the expense of the environment
- unacceptable infill development
- overdevelopment of the site
- proposals would undermine the character of the area
- permission has twice previously been refused for building on this site
- noise and disturbance during building works
- loss of outlook from and privacy to Nos.12 and 13 Brookside
- loss of trees
- drainage problems to adjacent property could be exacerbated
- loss of hedge would be detrimental to the appearance of the cul-de-sac
- the construction of the property adjacent to No.10 Westholme (allowed on appeal in 2010) is not directly comparable, and the dwellings at Nos.12 and 13 Brookside were granted in the 1970s when car ownership was lower.

This application has been called in to committee by a Ward Councillor.

Comments from Consultees

The Council's Highway Engineer comments that the garage proposed is of a good size, and there would be an additional two car parking spaces provided on the frontage. Although the new dwelling is likely to add an additional 7% of traffic in Brookside, it would be difficult to support a ground for refusal based on additional traffic to and from the site. If permission is granted, a construction management plan is suggested in view of the narrow width of Brookside and the footways.

No objections are raised to the proposals from a drainage point of view, and Thames Water raise no concerns.

Environmental Health raise no objections but suggest informatives regarding compliance with the Pollution and Environmental Protection Acts.

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 & Design
- H9 Side Space
- T3 Parking
- T18 Road Safety

Planning History

Permission was refused in 2008 (ref.08/01524) for a detached 4 bedroom dwelling on this site on the following grounds:

- 1 The proposals would be an overdevelopment of the site, out of character with the locality thereby detrimental to its visual amenities contrary to Policies H7 and BE1 of the Unitary Development Plan.
- 2 The proposal would give rise to an unacceptable degree of overlooking and loss of privacy and amenity to the occupiers of the adjoining properties contrary to Policy BE1 of the Unitary Development Plan.

Conclusions

The main issues in this case are the impact of the proposals on the character and appearance of the surrounding area, the amenities of neighbouring properties, and parking and traffic in surrounding roads.

The current proposals are set on a slightly wider site (13.7m wide rather than 12m wide), and since the previous scheme was refused in 2008, permission has been granted on appeal for a similar scheme on land adjacent to No.10 Westholme which lies to the rear of Nos.36 and 38 Mayfield Avenue. In that appeal, the Inspector considered that the proposals would not be dissimilar to other similar infill developments in the area, and that they would not result in any harm to the character and appearance of Westholme.

The proposed plot size would be similar (or even slightly larger) than the infill dwellings opposite at 12 and 13 Brookside, and the proposals would include the retention of good size gardens to the host dwellings at 26 and 28 Mayfield Avenue. The proposed dwelling would provide a side space of 1.7m to the western flank boundary with No.1 Brookside which would comply with the Council's side space policy, and would be set in line with the dwellings on the southern side of Brookside, appearing neither overly bulky nor cramped within the street scene. A rear garden depth of between 15.6-18.6m would be provided which would be similar to or exceed that of other developments in the close vicinity. The proposals are not, therefore, considered to be detrimental to the character and appearance of the surrounding area.

With regard to the impact on residential amenity, the proposed dwelling would be set back 1.7m from the western flank boundary with No.1 Brookside, and the two storey element of the proposals would project 2m to the rear of No.1, although construction work appears to be underway to add a 2.4m deep two storey rear extension to No.1 which was granted permission in November 2014 under ref.14/03368. The single storey element would project a further 3.15m to the rear which would not have a harmful impact on the amenities of the adjacent property. The proposed first floor window in the western flank elevation would be obscure glazed, and the proposals are not therefore considered to have a harmful impact on the amenities of No.1 Brookside.

The proposed dwelling would be set at least 37m away from the rear of Nos.26 and 28 Mayfield Avenue, and the first floor flank window in the eastern elevation would be obscure glazed. The proposals are not therefore considered to result in loss of privacy or outlook to those properties.

The relationship between the new dwelling and Nos.12 and 13 Brookside opposite would be similar to the other properties in Brookside, and is not uncommon within residential areas across the Borough.

Residents have raised the issues of parking and traffic problems in Brookside and are concerned that they could be exacerbated by the current proposals. However, the proposals are considered to have adequate on-site parking to prevent any additional on-street parking, and the addition of one dwelling is not considered to give rise to a material increase in the amount of traffic using Brookside. Members should note that the previous application was not considered to have an unacceptable impact on parking or traffic in the vicinity.

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.

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 | ACA08 | Boundary enclosures - implementation |
| | ACA08R | Reason A08 |
| 4 | ACB01 | Trees to be retained during building op. |
| | ACB01R | Reason B01 |
| 5 | ACB02 | Trees - protective fencing |
| | ACB02R | Reason B02 |
| 6 | ACB03 | Trees - no bonfires |
| | ACB03R | Reason B03 |
| 7 | ACB04 | Trees - no trenches, pipelines or drains |
| | ACB04R | Reason B04 |
| 8 | ACC01 | Satisfactory materials (ext'nl surfaces) |
| | ACC01R | Reason C01 |
| 9 | ACD02 | Surface water drainage - no det. submitt |
| | AED02R | Reason D02 |
| 10 | ACH03 | Satisfactory parking - full application |
| | ACH03R | Reason H03 |
| 11 | ACH09 | Restriction on height to front and flank |
| | ACH09R | Reason H09 |
| 12 | ACH29 | Construction Management Plan |
| | ACH29R | Reason H29 |
| 13 | ACH32 | Highway Drainage |

	ADH32R	Reason H32		
14	ACI02	Rest of "pd" Rights - Class A, B,C and E		
	ACI03R	Reason I03		
15	ACI12	Obscure glazing (1 insert)	at first floor level in the flank	
		elevations of the dwelling		
	ACI12R	I12 reason (1 insert)	BE1	
16	ACI17	No additional windows (2 inserts)	first floor flank	dwelling
	ACI17R	I17 reason (1 insert)	BE1	
17	ACK01	Compliance with submitted plan		
	ACK05R	K05 reason		
18	ACK06	Slab levels - compliance		
	ACK06R	K06 reason		

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 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

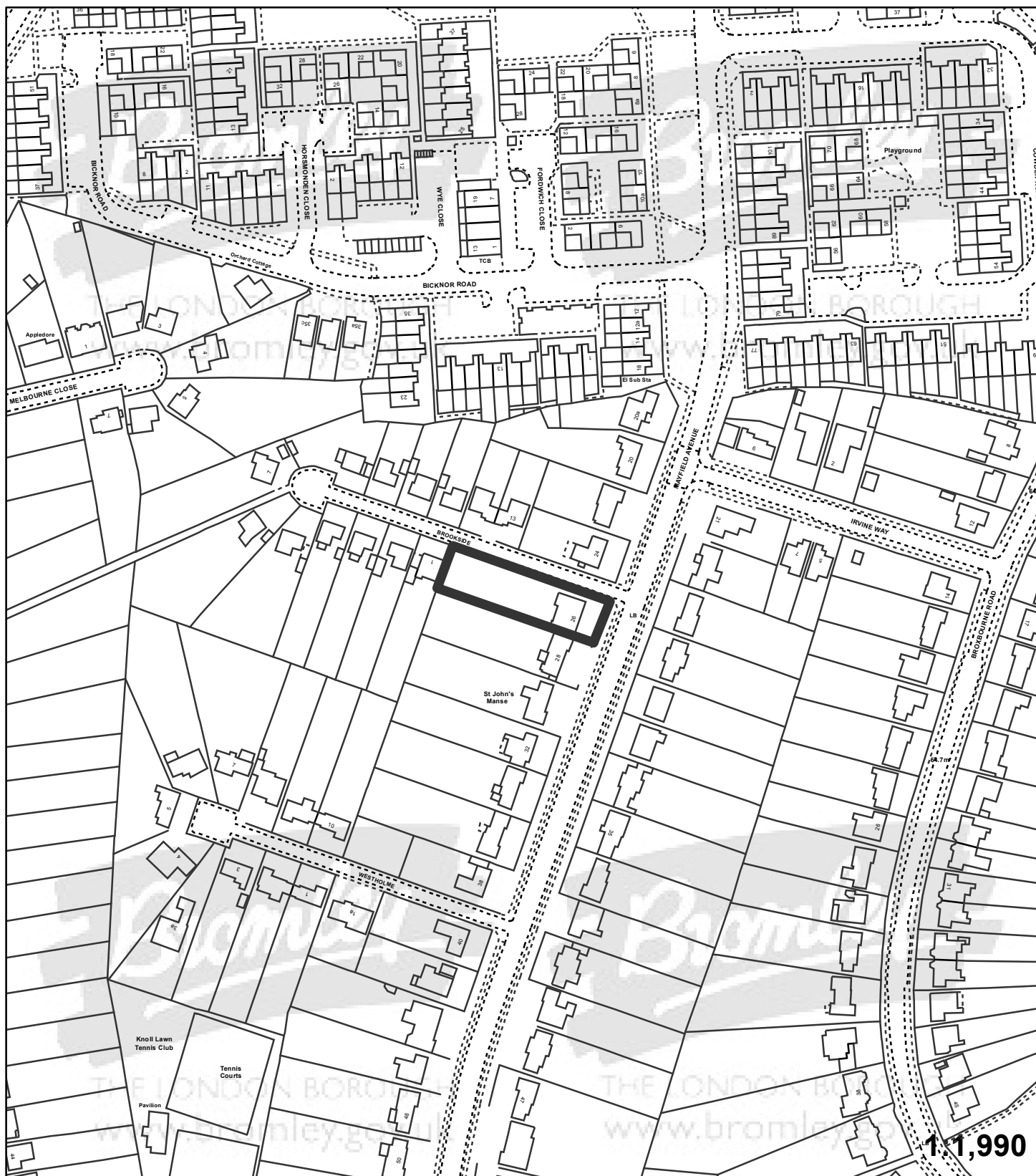
- 3 If during works on site any suspected contamination is encountered, Environmental Health should be contacted immediately. The contamination shall be fully assessed and an appropriate remediation scheme submitted to the Local Authority for approval in writing.
- 4 Before works commence, the applicant is advised to contact the Pollution Team of Environmental Health & Trading Standards regarding compliance

with the Control of Pollution Act 1974 and/or the Environmental Protection Act 1990.

Application: 14/03768/FULL1

Address: 26 Mayfield Avenue Orpington BR6 0AL

Proposal: Detached two storey 4 bedroom dwelling with integral garage and vehicular access on Land to the rear of Nos. 26 and 28 Mayfield Avenue fronting Brookside.



"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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