

SECTION '2' – Applications meriting special consideration

Application No : 14/03896/FULL1

Ward:
Bickley

Address : Little Wickham Hill Brow Bromley BR1
2PQ

OS Grid Ref: E: 541920 N: 169820

Applicant : Mr P Forbes

Objections : YES

Description of Development:

Demolition of existing dwelling and erection of a replacement two storey five bedroom dwelling and formation of a new access drive and erection of detached two storey five bedroom dwelling on land to rear including boundary enclosures and landscaping.

Key designations:

Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
London City Airport Safeguarding
London City Airport Safeguarding Birds
Open Space Deficiency

Proposal

The proposal comprises the demolition of the existing dwelling and its replacement with a two storey five bedroom dwelling and an additional two storey 5 bedroom dwelling at the rear of the site. Plot 1 (fronting Hill Brow) would have a maximum height of 8.8m and a width of approximately 16.4m. Plot 2 (sited to the rear of the site) would have a maximum height of approximately 9m and approximately 16.4m in width when scaled from the submitted drawings. Both properties would have integral garages. The properties would maintain separation to the boundary, Plot 1 retaining a minimum of 1.2m and Plot 2 2m to the southern boundary (adjacent to Ingleside and Hadleigh). The houses would provide amenity space to the front and rear. An access road would be provided between the flank elevation of Plot 1 and St Cecilia's residential care home to the North to provide access to Plot 2.

Location

The application site is currently comprised of a detached two storey single family dwellinghouse and the proposal is for its replacement and for the construction of an additional residential property within the residential curtilage of this site. The application site also incorporates land from the rear garden of Stonelink, Westbury

Road. The area is primarily characterised by large detached dwellings with sizeable rear gardens, with a number of tandem style properties situated behind properties facing Hill Brow and Westbury Road (e.g Hadleigh, Jessie, Fox House, Fairmont, Wildwood and Mapaulin). St Cecilia's residential care home is sited to the north of the application site fronting Sundridge Avenue. The site is not situated within a Conservation Area or Area of Special Residential Character.

Comments from Local Residents

Nearby owners/occupiers were notified of the application and representations were received (including the Sundridge Residents' Association) which can be summarised as follows:

- enclosed drawing of Plot 2 in relation to Hadleigh
- height will be 4-5ft higher than Hadleigh
- views into Hadleigh from Plot 2
- inaccuracies in statement that has been submitted
- would severely comprise amenities of Hadleigh
- several trees were felled in July 2014
- properties are more spaced in the area
- does not follow rear building line
- Plot 2 would dwarf Hadleigh
- 3.5m retained between Hadleigh and Plot 2
- privacy and amenity of Hadleigh will be impacted
- overdevelopment of the site
- Plot 1 would be twice the footprint of the existing
- rear of the site is heavily wooded which provides screening to nearby properties
- impact on the care home
- loss of trees/hedges

A letter of support was also received from Stonelink:

- understand that some trees will be felled
- would like privacy to be maintained by registering no further trees will need to be felled

Comments from Consultees

Highways- No objections

Environmental Health (Pollution)- No objection subject to informatives

Drainage/Thames Water- no objections subject to suggested informatives.

Planning Considerations

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

BE1 Design of New Development
H1 Housing Supply
H7 Housing Density and Design
H9 Side Space
T3 Parking
T18 Road Safety
NE7 Development and Trees

The National Planning Policy Framework (NPPF) is also a consideration.

Planning History

There is no recent planning history at the site.

Conclusions

The main issues relating to the application are 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.

The National Planning Policy Framework (NPPF) makes it clear that, whilst it is important for the full and effective use of land to be made for housing purposes and that there is a presumption in favour of sustainable development, there is no presumption that garden land is necessarily suitable for housing. Indeed paragraph 53 of the NPPF states "local planning authorities should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area". The Council has such a policy in place in the form of Policy H7 of the Unitary Development Plan (UDP), which in turn is fully supported by Policy 3.5 of the London Plan.

Policy H7 of the UDP which outlines the criteria applications for new housing must meet requires, inter alia, that the site layout, buildings and space about buildings recognises and complements the qualities of the surrounding areas. Paragraph 4.39 of the UDP, one of the explanatory paragraphs to Policy H7 states "many residential areas are characterised by spacious rear gardens and well separated buildings. The Council will therefore resist proposals which would tend to undermine the character or which would be likely to result in detriment to existing residential amenities. "Tandem" development, consisting of one house immediately behind another sharing the same access, is generally unsatisfactory because of the difficulties of access to the house at the back and disturbance and lack of privacy suffered by the house in front".

Section 6 of the NPPF requires that the design of new housing significantly enhances its immediate setting and should be sensitive to the defining characteristics of the local area. Section 7 further states that permission should be refused where a development fails to improve the character and quality of an area.

In this instance, the principle of the development is considered to be in-keeping with the immediate surrounding character of this part of Hill Brow and Westbury Road. There are several examples of 'Tandem' style developments and as such

the layout of the proposed dwellings would not be at odds with surrounding pattern of development. Whilst Policy H7 states that there is a general assumption against such developments, each application must be assessed on its own merits. Members may consider that the layout of the dwellings proposed are in-character with the area.

Supplementary Planning Guidance No. 2 (Residential Design Guidance) states "local context is of particular importance when adding new buildings to established areas. Building lines, spaces between buildings, means of enclosure and the use and location of garden or amenity space should all respect the character of the locality".

In terms of form and scale, the proposed height of the houses would be comparable with the other properties in Hill Brow. The proposed garden areas are considered to be comparable in size to the surrounding properties (Plot 1- approximately 18m and Plot 2- 11m) and would maintain an acceptable distance of approximately 31m between them. Some soft landscaping is proposed to the front of the site and adequate amenity spaces provided, Members may consider that the site will be redeveloped in an adequate manner allowing sufficient amenity space to the rear and distances to the front and side boundaries.

With regard to the proposed design of the buildings, the houses are of traditional design, with pitched roofs. The building at Plot 1 fronting onto Hill Brow would have a slightly staggered frontage with gable features which adds visual interest to the design and assists in breaking up the massing of the building.

The proposed dwelling at Plot 1 maintains a minimum separation of 1.2m to the southern boundary (adjacent to the access road to Hadleigh) and 4.2m to the northern boundary. Plot 2 maintains a minimum of 2m separation to the southern boundary with Hadleigh and a minimum of 1.6m to the north. The application in this respect would accord with Policy H9 in that a minimum 1m separation retained to the adjoining boundaries and Members may considered this comparable to the surrounding properties.

With regard to the impact of the proposed buildings of the residential amenities of the neighbouring properties, it may be considered that the proposed buildings are set in reasonable distances from the adjoining properties. Members will note that the footprint of the proposed building in Plot 1 is larger than the existing dwelling and the proposal now introduces an additional dwelling at the rear and there have been objections raised from the adjacent neighbour and the Residents' Association. In particular, concerns have been raised from the neighbour at Hadleigh who has concerns that the ground level at Little Wickham is higher than the neighbouring site. Whilst taking into account the concerns raised, given the separation from the boundary Members may consider the resulting height of plot 2 would not be overbearing upon the adjoining property. It is suggested that Members attach a condition requiring details of slab levels to be submitted to the Local Planning Authority prior to the commencement of construction. No objections have been received from the care home to the North of the application site, and Members may consider any potential impact to this property to be minimal.

With regards to the trees on the site, the submitted information indicates that 18 trees will be removed as part of the application. It is advised that the loss of these trees is unlikely to impact upon the principal views into the site from Hill Brow, Sundridge Avenue and Westbury Road. Mitigation planting, along with an Arboricultural Method Statement is recommended in the list of suggested conditions for Members consideration.

On the basis of the above, the application is presented on List 2 for Members consideration.

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:

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| 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 | ACB05 | Replacement tree(s) elsewhere on site |
| | ACB05R | Reason B05 |
| 5 | ACB18 | Trees-Arboricultural Method Statement |
| | ACB18R | Reason B18 |
| 6 | ACC01 | Satisfactory materials (ext'n'l surfaces) |
| | ACC01R | Reason C01 |
| 7 | ACC03 | Details of windows |
| | ACC03R | Reason C03 |
| 8 | ACD02 | Surface water drainage - no det. submitt |
| | AED02R | Reason D02 |
| 9 | ACH03 | Satisfactory parking - full application |
| | ACH03R | Reason H03 |
| 10 | ACI02 | Rest of "pd" Rights - Class A, B,C and E |

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

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| 11 | ACK05 | Slab levels - no details submitted |
| | ACK05R | K05 reason |
| 12 | ACK01 | Compliance with submitted plan |
| | ACK05R | K05 reason |

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

- 2 With regard to surface water drainage it is the responsibility of the 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 Ground Water. Where the developer proposes to discharge from the site 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 Before the use commences, 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. The Applicant should also ensure compliance with the Control of Pollution and Noise from Demolition and Construction Sites Code of Practice 2008 which is available on the Bromley web site.
- 4 If during the 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.

