

SECTION '1' – Applications submitted by the London Borough of Bromley

Application No : 14/05042/VAR

Ward:
Penge And Cator

Address : Land Rear Of 190 To 200 Kings Hall
Road Beckenham

OS Grid Ref: E: 536697 N: 170282

Applicant : Mr Paul Symonds

Objections : YES

Description of Development:

Variation conditions 2,7,8,12 and 15 of application 12/02798 for extension to existing car park to provide an additional 64 car parking spaces and associated landscaping (amended layout plan and drainage system with 67 spaces).

Key designations:

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

Proposal

Members will recall that planning permission was granted for an extension to the existing car park under application ref. 12/02798.

The suitability of this car park extension was established at Planning Committee on 7th February 2014. Council Officers in the Highways Division have devised an improvement to the design that will reduce the loss of green space and increase the distance of moving vehicles from nearby properties. Accordingly, this application effectively seeks an amendment of the previous permission. The plans now indicate 67 spaces.

This variation is required given the change of drainage system originally proposed as part of the planning application. The proposed swale drainage system has a number of additional benefits over and above the original proposal to install a soakaway drainage system. At this particular location, the water table is high and soakaways are not therefore always proven to work. Both the original soakaway and the proposed swale are considered Sustainable Urban Drainage systems (SUDs). The alternative swale system offers the following benefits:

- easy to incorporate in to landscaping
- better removal of urban pollutants than SUDS

- reduced run off rates and volumes
- maintenance incorporated in to general land management
- reduced impermeable surface
- less intrusion / greater distance of cars from neighbouring property gardens
- minimises loss of green space.

As part of this application, an updated layout plan (drawing no. 11127-02 Rev C) for the car park has been included showing the revised drainage system (incorporating additional landscaping) which has been approved by the Council's Drainage Advisor.

The plan also illustrates the proposed acoustic boundary fence to meet the requirements of condition 16, along with the necessary detail for condition 17 in respect of the electric vehicle charge points.

Drawing no. 11127-05 Rev A shows the parking layout and provides further detail of the swale drainage system proposed, along with the technical specification of the lighting columns as required under condition 14.

Based on the proposal to implement a swale drainage system rather than that of a soakaway system, the need for an oil-water interceptor is no longer required as originally required in condition 12. The swale drainage system also negates the need for the use of permeable surfaces as per condition 15 given that any run-off will go into the swale, reducing the ongoing maintenance burden of the scheme. The swale drainage system will also ensure that water will drain naturally and will not discharge onto the highway or into nearby gardens.

The Council's Arboricultural Officer has approved the landscaping details of the scheme as required for condition 2, and will further approve the construction methods and oversee the construction work to ensure protection of existing trees. Crime prevention proposals have been presented to the Police who have endorsed the design and will be approving the measures implemented prior to first use, in line with condition 11. The detail of these preventative measures are as follows:

Access and movement - One main entrance in Lennard Road for both cars and pedestrian movements. There is no possible change to access as it is completely land locked, the railway line being one side. Thus this reduces escape routes on foot for criminals. Pedestrians can walk directly to the station and platforms from the car park. They might also park here for the nearby schools and parks or Kent House rail station. Access is aided by good lighting.

Structure - There is one main use, that of car parking. Thus that is its function. The current car park is heavily used and we expect the extended part should also be well used. There is good visibility though the existing and new car park.

There is high demand around this station for parking. There is the secondary use of parking for short periods for pick up. This adds to surveillance in between the peak periods for commuter vehicle movements.

Surveillance

In line with the Council's current policy, we are not including CCTV at this stage, however there will be more people passing through the car park as there are more spaces thus more car movements. The Council's Civil Enforcement Officers will also make regular checks on the car park. The entrance is overlooked from Lennard Road and also the rail station. There is a nearby cycle route from the station underpass (which is adjacent to the car park). Thus there are passing walkers and cyclists throughout the day.

Ownership - most people act with a degree of observation when entering or existing. There will be good quality lighting throughout the new facility.

Physical protection - There is fencing around the site, with access from one side, along with new good lighting. Pyrocanthus planting along the boundaries will discourage trespass onto adjoining properties.

Activity - Enforcement officers will visit regularly and report any suspicious activity of course. Car park users are also encouraged to report any suspicious activity.

Management and maintenance - The existing facility is managed by our contractor, who is responsible for maintenance including removal of flytipping. The new facility will be added to this contract with clear performance requirements for responding to maintenance issues.

In accordance with condition 13, the Council will prepare and submit a remedial strategy should any contamination of land be discovered upon starting ground works, setting out how any contamination will be dealt with.

Location

The application site would be accessed via the existing commuter car park which leads onto Lennard Road in close proximity to the junction with Kings Hall Road. The application site is currently undeveloped and backs onto the rear gardens of Nos. 190 - 200 Kings Hall Road and Nos. 5 - 8 Bridgelands Close. To the west of the site is a railway line operated by Network Rail.

Comments from Local Residents

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

- plenty of parking locally
- result in a dead Zone/ criminal activity
- congest and pollute
- impact on small garden
- lack of mature landscaping
- impact of lighting
- car park hardly ever full

Any additional comments will be reported verbally.

Comments from Consultees

The Metropolitan Police have no comments to make.

The Environment Agency raises no objections

Network Rail has no further observations.

Thames Water has no comments.

Highways Drainage advise the submitted information including Proposed Car Park Layout Plan DRG No. 11127-02 Rev C dated 12/09/2012 and the Swale Drainage cross section DRG No. 11127-05 Rev A dated 22/05/2014 to provide 188m³ of Swale storage capacity are acceptable and recommend the discharge of condition 7 & 8. Oil interceptor is not needed in this instance because the swale will filter the pollutant particles preventing it to percolate the subsoil. Condition 12 is satisfied. There is no need for the vehicle hardstanding and access drives to be formed of permeable surfaces because surface water will eventually discharge to the proposed Swale. Condition 15 is satisfied.

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
T3 Parking
T18 Road Safety
NE7 Development and Trees

Supplementary Planning Guidance (SPG) 1 General Design Principles

London Plan:

2.8 Outer London: Transport
5.12 Flood Risk Management
5.13 Sustainable Drainage
6.13 Parking
7.3 Designing out crime
7.13 Safety, Security and Resilience to Emergency
7.14 Improving Air Quality
7.15 Reducing Noise and Enhancing Soundscapes
7.19 Biodiversity and Access to Nature
7.21 Trees and Woodlands

The National Planning Policy Framework is also a key consideration in the determination of this application

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. It should be noted that Planning permission was granted under application ref.14/05042.

This application is effectively an amendment to that scheme and seek to improve the relationship with local residents by increasing the amount of soft areas and increasing the separation.

Given its location to the rear of an existing car park and residential gardens the application site is not highly visible in the streetscene. There are a number of mature trees located on the site which add to the visual amenities of the area and as previously the proposal is not considered to result in an unduly harmful impact upon the character of the area.

To the east of the site is a railway line resulting in a considerable separation between the application site and residential properties along Copers Cope Road and as such this application shall be primarily concerned as to the implications on the residential amenities of Nos. 188- 200 Kings Hall Road, No. 207 Lennard Road and Nos. 5 - 8 Bridgelands Close.

Nos. 188- 200 Kings Hall have rear gardens of a considerable depth of approximately 36m and although the outlook of these properties will be altered given the considerable distance which would be retained between the rear elevations of these properties to the application site this is not considered to result in a significant detrimental impact on the residential amenities of these properties.

Concerns were previously raised by neighbouring properties in relation to drainage at the application site. The new proposal incorporates a large grassed area/ swale which will help these issues. The Councils drainage advice considers this to be acceptable.

Having had regard to the above it is considered that the development in the manner proposed is acceptable in that it would not result in a significant loss of amenity to local residents nor impact detrimentally on the character of the area.

Background papers referred to during production of this report comprise all correspondence on files refs. 12/02798 and 14/05042, excluding exempt information.

RECOMMENDATION: APPROVAL

subject to the following conditions:

- 1 The development to which this permission relates must be begun not later than 12th February 2017.
ACA01R A01 Reason 3 years
- 2 ACA05 Landscaping scheme - implementation
ACA05R Reason A05

3 No bonfires shall take place within 6 metres of the furthest extent of the spread of the canopy of any tree or tree group shown to be retained on the submitted drawings.

Reason: In order to comply with Policy NE7 of the Unitary Development Plan and to ensure that all existing trees to be retained on the site are adequately protected.

4 No trenches, pipelines for services or drains shall be sited under the spread of the canopy of any tree or tree group shown to be retained on the submitted plans without the prior agreement in writing by the Local Planning Authority.

Reason: In order to comply with Policy NE7 of the Unitary Development Plan and to ensure that all existing trees to be retained on the site are adequately protected.

5 There shall be no excavation works beneath the canopy of any trees shown to be retained on the submitted plan. The drive and car parking spaces shall be constructed in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason: In order to comply with Policy NE7 of the Unitary Development Plan to ensure works are carried out using a "no-dig" method of work and according to good arboricultural practice, and in the interest of the health and visual amenity value of trees to be retained.

6 ACD01 Surface water drainage - implementation
ADD01R Reason D01

7 Before commencement of the use of the land or building hereby permitted parking spaces and/or garages and turning space shall be completed in accordance with the approved details and thereafter shall be kept available for such use and no permitted development whether permitted by the Town and Country Planning (General Permitted Development Order 1995 (or any Order amending, revoking and re-enacting this Order) or not shall be carried out on the land or garages indicated or in such a position as to preclude vehicular access to the said land or garages.

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.

8 The development hereby permitted includes measures to minimise the risk of crime submitted and approved by the Local Planning Authority (in relation to application ref. 12/05042) should be implemented before any part of the development hereby permitted is first occupied and permanently retained thereafter.

Reason: In the interest of security and crime prevention and to accord with Policy BE1 of the Unitary Development Plan.

9 If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, a remediation strategy detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved and reported to the satisfaction of the Local Planning Authority.

Reason: There is the potential for unexpected contamination to be identified during groundworks. The Environment Agency should be consulted should any contamination be identified that could present an unacceptable risk to Controlled Waters.

10 The details of external illumination submitted and approved by the Local Planning Authority (in relation to application ref. 12/05042) should be implemented before any part of the development hereby permitted is first used and permanently retained thereafter.

Reason: In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of the amenities of the adjacent properties.

11 Details of the boundary fencing submitted and approved by the Local Planning Authority (in relation to application ref. 12/05042) should be implemented before any part of the development hereby permitted is first used and permanently retained thereafter.

Reason: In order to comply with Policy BE1 of the Unitary Development Plan and to ensure a satisfactory standard of residential amenity.

12 A minimum of two fixed charging points with dedicated spaces shall be provided for electric vehicles. Details of the power supply and charging points shall be submitted to the Local Planning Authority for approval prior to the use commencing and shall be maintained as approved and in full working order thereafter. Provision of electric charging points shall be increased in future in line with demand for the facility at this location.

Reason: To minimise the Nitrogen oxide emissions in the area which is designated as an Air Quality Management Area, in line with the NPPF and Policy 7.14 of the London Plan.

INFORMATIVE(S)

1 If the applicant (and any future resident) needs to utilise Network Rail land and air-space to facilitate works. The applicant / resident would need to receive approval for such works from the Network Rail Asset Protection Engineer, the applicant / resident would need to submit the request at least 20 weeks before any works were due to commence on site and they would be liable for all costs (e.g. all possession costs, all site safety costs, all asset protection presence costs). However, Network Rail is not required to grant permission for any third party access to its land.

2 Where a proposal calls for hard standing area / parking of vehicles area near the boundary with the operational railway, Network Rail would recommend the installation of a highways approved vehicle incursion barrier or high kerbs to prevent vehicles accidentally driving or rolling onto the railway or damaging lineside fencing.

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.
- 5 Whilst the principles and installation of sustainable drainage schemes are to be encouraged, no infiltration of surface water drainage into the ground is permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to Controlled Waters. The development shall be carried out in accordance with the approval details.
- 6 Storm/surface water must not be discharged onto Network Rail's property or into Network Rail's culverts or drains except by agreement with Network Rail. Suitable drainage or other works must be provided and maintained by the Developer to prevent surface water flows or run-off onto Network Rail's property. Proper provision must be made to accept and continue drainage discharging from Network Rail's property; full details to be submitted for approval to the Network Rail Asset Protection Engineer. Suitable foul drainage must be provided separate from Network Rail's existing drainage. Soakaways, as a means of storm/surface water disposal must not be constructed near/within 10 - 20 metres of Network Rail's boundary or at any point which could adversely affect the stability of Network Rail's property. After the completion and occupation of the development, any new or exacerbated problems attributable to the new development shall be investigated and remedied at the applicants' expense.
- 7 Where trees/shrubs are to be planted adjacent to the railway boundary these shrubs should be positioned at a minimum distance greater than their predicted mature height from the boundary. Certain broad leaf deciduous species should not be planted adjacent to the railway boundary as the species will contribute to leaf fall which will have a detrimental effect on the safety and operation of the railway. We would wish to be involved in the approval of any landscaping scheme adjacent to the railway. Where landscaping is proposed as part of an application adjacent to the railway it will be necessary for details of the landscaping to be known and approved to ensure it does not impact upon the railway infrastructure. Any hedge planted adjacent to Network Rail's boundary fencing for screening purposes should be so placed that when fully grown it does not damage the fencing or provide a means of scaling it. No hedge should prevent Network Rail from maintaining its boundary fencing. Lists of trees that are permitted and those that are not permitted are provided below and these should be added to any tree planting conditions:

Permitted: Birch (Betula), Crab Apple (Malus Sylvestris), Field Maple (Acer Campestre), Bird Cherry (Prunus Padus), Wild Pear (Pyrus Communis), Fir Trees - Pines (Pinus), Hawthorne (Cretaegus), Mountain Ash - Whitebeams (Sorbus), False Acacia (Robinia), Willow Shrubs (Shrubby Salix), Thuja Plicatata "Zebrina"

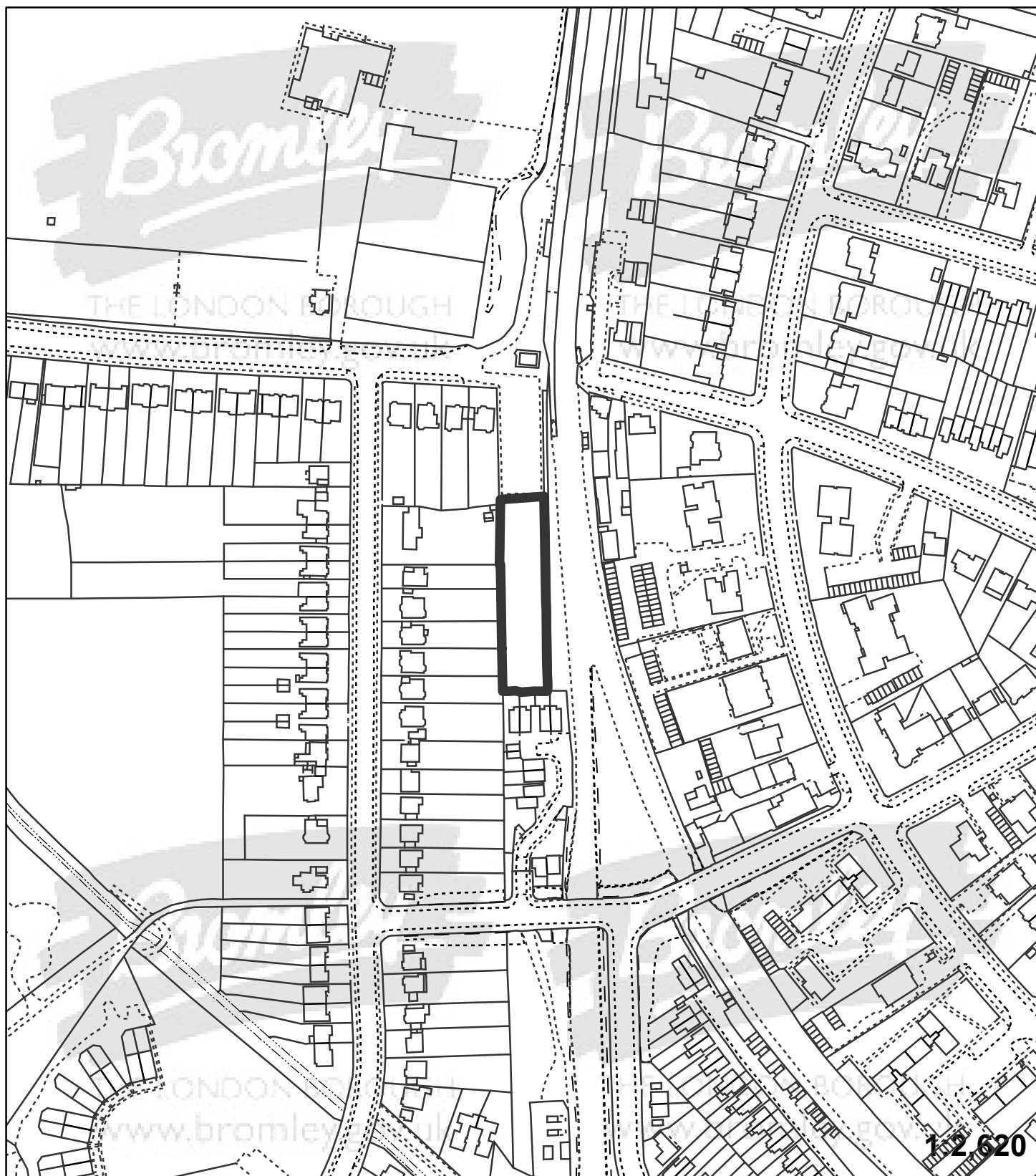
Not Permitted: Alder (*Alnus Glutinosa*), Aspen - Poplar (*Populus*), Beech (*Fagus Sylvatica*), Wild Cherry (*Prunus Avium*), Hornbeam (*Carpinus Betulus*), Small-leaved Lime (*Tilia Cordata*), Oak (*Quercus*), Willows (*Salix Willow*), Sycamore - Norway Maple (*Acer*), Horse Chestnut (*Aesculus Hippocastanum*), Sweet Chestnut (*Castanea Sativa*), London Plane (*Platanus Hispanica*).

- 8 In view of the nature of the development, it is essential that the developer provide (at their own expense) and thereafter maintain a substantial, trespass proof fence along the development side of the existing boundary fence, to a minimum height of 1.8 metres. The 1.8m fencing should be adjacent to the railway boundary and the developer/applicant should make provision for its future maintenance and renewal without encroachment upon Network Rail land. Network Rail's existing fencing / wall must not be removed or damaged and at no point either during construction or after works are completed on site should the foundations of the fencing or wall or any embankment therein, be damaged, undermined or compromised in any way. Any vegetation on Network Rail land and within Network Rail's boundary must also not be disturbed. Any fencing installed by the applicant must not prevent Network Rail from maintaining its own fencing/boundary treatment.
- 9 Any lighting associated with the development (including vehicle lights) must not interfere with the sighting of signalling apparatus and/or train drivers vision on approaching trains. The location and colour of lights must not give rise to the potential for confusion with the signalling arrangements on the railway. The developers should obtain Network Rail's Asset Protection Engineer's approval of their detailed proposals regarding lighting prior to the installation of lighting on the site.
- 10 The development must ensure any future maintenance can be conducted solely on the applicant's land. The applicant must ensure that any construction and any subsequent maintenance can be carried out to any proposed buildings or structures without adversely affecting the safety of, or encroaching upon Network Rail's adjacent land and air-space.

Application:14/05042/VAR

Address: Land Rear Of 190 To 200 Kings Hall Road Beckenham

Proposal: Variation conditions 2,7,8,12 and 15 of application 12/02798 for extension to existing car park to provide an additional 64 car parking spaces and associated landscaping (amended layout plan and drainage system with 67 spaces).



"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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