

SECTION '2' – Applications meriting special consideration

Application No : 14/03509/FULL1

Ward:
Farnborough And Crofton

Address : 132 Crofton Road Orpington BR6 8JD

OS Grid Ref: E: 544562 N: 165881

Applicant : Mr & Mrs Lynch

Objections : YES

Description of Development:

Alteration, extension and conversion of existing dwellinghouse to form 4 two bedroom flats and the construction of a pair of semi-detached houses, together with the formation of private and communal gardens, the construction of bin and cycle stores and closing the existing vehicular access from Crofton Road.

Key designations:

Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
London City Airport Safeguarding
Local Distributor Roads
Stat Routes

Proposal

This application was deferred from Plans Sub-Committee on 19th February in order to seek a reduction in the scale of the development, and to remove the pair of semi-detached dwellings from the scheme. An appeal has now been lodged against non-determination, and Members will therefore need to consider whether to contest the appeal.

I repeat the earlier report suitably updated.

It is proposed to demolish the detached garage adjacent to Crofton Lane along with a single storey side extension to the property, construct part two storey/first floor extensions to the property, and convert it into 4 two bedroom flats.

It is also proposed to construct 2 two storey 3 bedroom semi-detached dwellings in the south-western corner of the site which would front onto Crofton Road.

The existing vehicular access from Crofton Road would be stopped up, whilst the access from Crofton Lane would lead to 8 car parking spaces, one for each flat and 2 for each house.

Location

The site is triangular in shape, and lies in a prominent corner position at the mini-roundabout junction of Crofton Lane and Crofton Road. It measures 0.25ha and is currently occupied by a large detached chalet bungalow with a detached garage to the rear accessed from Crofton Lane. The site also has a vehicular access from Crofton Road which leads to parking at the front of the dwelling.

The surrounding area contains mostly two storey detached and semi-detached properties located within good-sized plots. The property lies on the northern side of Crofton Road, and addressed the road junction, whilst the north-western rear boundary abuts a public footpath which links Crofton Road and Crofton Lane, and separates the site from two bungalows to the rear at 1 Crofton Lane and 132a Crofton Road.

The site is surrounded by tall trees which largely screen the property from view.

Comments from Local Residents

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

- cramped overdevelopment of the site
- unacceptable backland development
- out of character with the surrounding area
- increased use of dangerous access onto Crofton Lane
- access is adjacent to a public footpath used regularly by schoolchildren - could cause accidents
- insufficient parking provision
- lack of adequate amenity space
- houses are too close to 132A Crofton Road
- general disturbance during building works
- loss of light to No.132A Crofton Road and increased noise disturbance from future occupiers
- loss of privacy, daylight and outlook from neighbouring properties
- loss of conifer trees adjacent to the footpath
- would set a precedent for flatted developments
- previous applications for residential developments were refused.

Comments from Consultees

The Council's Highway Engineer considers the parking layout and number of spaces provided to be adequate, and the applicant has demonstrated (by the submission of a swept path analysis) that there would be adequate room on site for cars to enter and exit in forward gear.

The use of the existing access from Crofton Lane to serve the development along with the stopping up of the access from Crofton Road is considered to be the preferred option from a highway point of view, and the Crofton Lane access has

good visibility to the left. The required sightline to the right could be achieved by a slight adjustment to the existing fenceline (which a previous Appeal Inspector agreed with for an earlier scheme), and a sightline condition can be imposed to meet this requirement.

A public footpath lies adjacent to the site, although it is unlikely to be affected by the development. Due to its close proximity, pedestrians using the route must be safeguarded, and it must not be damaged or obstructed either during or as a result of the development.

There are no drainage or environmental health objections to the proposals, and the Crime Prevention Officer has suggested a "Secure by Design" condition.

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
NE7 Development and Trees

Planning History

Permission was refused in 2007 (ref. 07/03870) for the demolition of the existing house and the erection of a part two/three storey building comprising 6 two bedroom and 2 one bedroom flats on grounds relating to overdevelopment, lack of amenity space, and loss of outlook from neighbouring properties.

An outline application submitted in 2008 for the demolition of the house and the erection of 1 detached and 4 semi-detached two storey dwellings (ref. 08/02080) was withdrawn prior to determination.

Permission was refused in 2011 (ref. 10/03474) for the demolition of the existing house and the erection of 3 four bedroom detached houses with integral garages and access onto Crofton Lane on grounds relating to the cramped overdevelopment of the site and the detrimental impact on highway safety resulting from increased vehicular movements to and from Crofton Lane. The appeal was later dismissed on grounds relating to the amount of site coverage, the harm to the character and appearance of the locality, and the loss of outlook to the bungalow at No.132A.

Permission was refused in 2012 (ref. 12/00669) for the demolition of the existing house and the erection of 3 four bedroom detached houses on grounds relating to the cramped overdevelopment of the site, and the prominent siting of the dwellings which would be harmful to the visual amenities of the street scene. The appeal was dismissed in 2013 on grounds relating to the close proximity of the dwellings to

Crofton Road and the resulting lack of available space for landscaping, the width of the built development along the Crofton Road frontage, and the prominent side elevations which would protrude forward in the street scene. Concerns were also raised about the small size of the gardens due to the large amount of hardstanding required for turning and parking.

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, parking and road safety, and important trees on the site.

With regard to the density of the proposed development, Table 3.2 of Policy 3.4 (Optimising Housing Potential) of the London Plan gives an indicative level of density for new housing developments. In this instance, the proposal represents a density of 24 dwellings per hectare with the table giving a suggested level of 35-95 dwellings per hectare in suburban areas with a 2 PTAL location. The proposals would therefore result in an intensity of use of the site that would be slightly lower than the thresholds in the London Plan, however, they need to be assessed against the wider context in terms of the character, spatial standards and townscape value of the surrounding area.

In contrast with previous redevelopment schemes for the site, the current proposals are for the retention of the existing dwelling and its extension to form 4 flats, along with the provision of a pair of semi-detached dwellings in the garden area to the south-west of the dwelling.

The ridge height of the existing building would increase by a maximum of 2.5m (from 7m to 9.5m) in order to provide the first floor accommodation, although the north-eastern section adjacent to Crofton Lane would be slightly lower at 9.2m. The existing separation of 1.3-2.8m to the boundary with Crofton Lane would be retained, although the bin and cycle stores would be attached to this side. The extended building would have a slightly smaller footprint than at present due to the removal of a side utility room extension, and allows for the provision of good size private gardens for the two ground floor flats and a large communal area in the south-eastern corner of the site for the upper flats.

The new semi-detached dwellings would be set back 2.7-3m from the converted flats, and would each have 2 car parking spaces to the side. A previous Inspector raised concerns about the close proximity of dwellings to Crofton Road and the lack of space for landscaping, therefore the proposed dwellings have been set further back from the road frontage (approximately 5.6m), but they would still address Crofton Road, which a previous Inspector considered to be important in order to be in keeping with the prevailing pattern of development along the road. The roofline of the new dwellings would have a maximum height of 7.2m within the central section, reducing to 6.5m to each side, and sufficient amenity space would be provided for future occupiers.

Overall, the amount of site coverage with buildings and hard surfacing has been reduced in the current scheme, with large garden areas being provided adjacent to

Crofton Road and Crofton Lane, whilst parking and turning areas would be largely restricted to the rear of the buildings adjacent to the public footpath. The proposals are not, therefore, considered to result in an overdevelopment of the site, and would not appear unduly prominent or cramped on this corner site, subject to the provision of a suitably landscaped setting.

With regard to the impact on residential amenity, the properties most directly affected by the proposals would be the bungalows at 1 Crofton Lane and 132A Crofton Road which are set at a slightly lower level than the application site.

In relation to 1 Crofton Lane which is situated to the north of the site, the flatted development would be higher than the existing building, but would not come any closer to the north-western boundary (a separation of at least 8.5m). There are currently three first floor windows in the existing building which face this property which is approximately 17m away, and the proposals show five first floor windows in this elevation, two of which would be to bathrooms. Some overlooking may occur from these windows, but it is proposed to supplement the landscaping along the boundary with the public footpath with a tree screen which would lessen the impact on outlook from the adjacent properties. Given the distance between the properties, the proposals are not considered to unduly affect the amenities of residents at 1 Crofton Lane.

With regard to 132A Crofton Road which is located to the north-west of the site, the proposed new dwellings would be located 4m from the boundary with the public footpath at their nearest point (which improves on the 2.5m previously proposed under ref. 12/00669 to which the Inspector raised concerns), and at least 12m from the bungalow at 132A. The roofline of the dwellings would not exceed 7.2m, and the first floor bedroom windows in the western and northern elevations would have only oblique views of the front of 132A. The proposals are not therefore, considered to result in undue loss of light, privacy or prospect to this property.

The proposals are considered acceptable from a parking and road safety point of view, subject to safeguarding conditions. The proposals would introduce an access drive and parking and turning areas into the north-western part of the site, but this would be separated from adjacent properties by the public footpath, therefore, this aspect of the proposals is not considered to cause significant harm to the amenities of neighbouring properties in terms of noise and disturbance.

The site is dominated by the presence of fast growing false cypresses, some of which are subject to an extant high hedge remedial notice, and the proposals would require many of these to be removed. It would be desirable to retain some of the more prominent trees, and these can be included within a high quality landscape design for the site which would relate more harmoniously with the junction and streetscape.

In conclusion, it is considered that the proposals have sufficiently overcome previous reasons for refusal, including concerns raised by Inspectors on appeal, and that they constitute an acceptable form of development on the site which would sufficiently protect the amenities of neighbouring properties, and would not appear cramped nor out of keeping with the surrounding area. Members will

therefore need to consider whether it would be appropriate in this case to contest the appeal.

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.

as amended by documents received on 28.01.2015 30.01.2015

RECOMMENDATION: RESOLVE NOT TO CONTEST APPEAL

The following conditions are recommended to the Planning Inspectorate:

- 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 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 ACD04 Foul water drainage - no details submitt
ADD04R Reason D04
- 11 ACH03 Satisfactory parking - full application
ACH03R Reason H03
- 12 ACH10 Provision of sight line (3 inserts) 2.4m x 41m south-
eastwards the access 1m
ACH10R Reason H10
- 13 ACH16 Hardstanding for wash-down facilities
ACH16R Reason H16
- 14 ACH29 Construction Management Plan
ACH29R Reason H29
- 15 ACH32 Highway Drainage
ADH32R Reason H32
- 16 ACI02 Rest of "pd" Rights - Class A, B,C and E
ACI03R Reason I03
- 17 ACI13 No windows (2 inserts) first floor south-western flank
flatted development
ACI13R I13 reason (1 insert) BE1

18	ACI17 dwellings	No additional windows (2 inserts)	first floor	flats and
	ACI17R	I17 reason (1 insert)	BE1	
19	ACI21 ACI21R	Secured By Design I21 reason		
20	ACK01 ACK05R	Compliance with submitted plan K05 reason		
21	ACK05 ACK05R	Slab levels - no details submitted K05 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.