

Section '3' - Applications recommended for PERMISSION, APPROVAL or CONSENT

Application No : 15/00101/FULL1

Ward:
**Chelsfield And Pratts
Bottom**

Address : Bow Wood Stonehouse Road Orpington
TN14 7HW

OS Grid Ref: E: 547454 N: 162355

Applicant : Mr & Mrs C Allen

Objections : YES

Description of Development:

Proposed new dwelling.

Key designations:

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

Proposal

This site measures 0.16ha, and is occupied by a detached split-level bungalow with limited first floor and basement accommodation. The site slopes steeply upwards from east to west, and lies adjacent to the Green Belt boundary to the south.

The rear part of the site (beyond the existing dwelling) is covered by a blanket TPO (No.58), which would not be affected by the current proposals.

It is proposed to demolish the existing bungalow, and erect a significantly larger detached 3 storey dwelling marginally further down the sloping site to the east, leaving a separation of 23m to the front boundary from the front elevation and 19.5m from the access steps to the basement which project 3.5m further south than the main dwelling.

The dwelling would maintain separations of 6-3.5m to the southern flank boundary with Middlemarch, and between 3-10m to the northern flank boundary with White Croft. The proposed dwelling would reach 8.9m in height to the southern (front elevation) and 7.8m when measured from the northern (rear) elevation by virtue of the topography of the site.

Comments from Local Residents

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

- overbearing harmful visual impact
- significantly overshadow Whitecroft
- infilling could significantly harm the character of the village
- excessively large buildings would be out of place with other properties within the semi-rural community
- all neighbouring properties are sited within large plots with open space to one or both sides giving an open rural appearance, this scheme will erode that.
- the property is out of context with the lie of the land
- the property is too close to neighbouring boundaries
- the dwelling protrudes forward of the building line by approximately 10m allowing for poor views from Middlemarch
- the dwelling will detract from the reason people live within rural areas
- the dwelling is proposed to be constructed forward of the building line of which previous applications within the street have been refused.

Highways - No objections subject to conditions

Trees - The Tree Officer expressed no objections to the scheme subject to conditions

Drainage - No Objections subject to conditions

Environmental Health - Housing Act 2004 Part 1 - Housing Health and Safety Rating System (HHSRS)

Concerns have been expressed about the proposed lower ground study in respect to natural lighting as there is no outlook from the external glazed door and the light well is within 2m of the front retaining wall so natural light is obstructed. Concerns are also expressed about the lower ground floor guest room as there is no outlook from this window. Concerns are also raised with regards to the ventilation within the kitchen and living room.

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
- H7 Housing Density and Design
- H9 Side Space
- T18 Road Safety
- H1 Housing Supply
- T3 Parking

SPG1
SPG2

London Plan Policies:

- 3.3 Increasing Housing Supply
- 3.4 Optimising Housing Potential
- 3.5 Design and Quality of Housing Developments
- 3.8 Housing Choice
- 5.1 Climate Change
- 5.2 Minimising Carbon Dioxide Emissions
- 5.3 Sustainable Design and Construction
- 6.9 Cycling
- 6.13 Parking

National Planning Policy Framework

Planning History

83/01450/FUL - Proposed two storey side extension - approved

Conclusions

The main issues to be considered in respect of this application are:

- Design
- Standard of Residential Accommodation
- Highways and Traffic Issues
- Impact on Adjoining Properties

The application site was visited by the case officer and the aims and objectives of the above policies, national and regional planning guidance, all other material planning considerations including any objections, other representations and relevant planning history on the site were taken into account in the assessment of the proposal.

Design, Siting and Layout

The property, by virtue of the topography of the site, appears as a two storey detached dwelling when viewed from the wider street scene. The dwelling house is proposed to be set approximately 23m back from Stonehouse Road and allows for an open and spacious front amenity space in line with the character of the neighbouring properties.

Policy H9 requires a side space to be retained of 1m or more for the entire height and length of the development between the flank elevation of the host property and the common side boundary with the neighbouring dwelling. Although the original plans adhered to the policy requirement, amended plans were requested to increase the spacing around the dwelling further in order to retain the spacious aesthetics of the plot when viewed from the wider street scene. The side space

was increased from 2.5m to 3.5m at the closest point with the common side boundary with Middlemarch and retained at 3m at the closest point along the common side boundary with White Croft. The development would not allow for a cramped form of development and would not adversely impact on the character of the wider street scene. It is considered that the size and scale of the development is acceptable in that it retains the open nature of the site and complements the adjoining Green Belt land.

Amendments were requested to reduce the height of the dwelling in order to retain the staggered ridge heights when viewed from Stonehouse Road, which was complied with. It is now considered that the height of the proposed dwelling lies harmoniously with the staggered heights of the surrounding dwelling (rising to the west along Stonehouse Road) and is not considered to detrimentally impact in terms of being unduly prominent.

The dwelling house is sited approximately 1m in front of the neighbouring property to the west of the site, Middlemarch (the nearest adjoining dwelling), and approximately 4.5m forward of the existing front elevation of the bungalow. Dwellings along Stonehouse Road do not benefit from a regimented building line and it is therefore considered that the siting of the dwelling is acceptable in that it does not unduly compromise the character of the surrounding street scene or create an unduly prominent dwelling.

With regard to the design of the dwelling, it is noted that the height of the dwelling has been significantly reduced from that originally proposed which allows for an element of subservience within the plot. Materials proposed within the construction consist predominantly of red and yellow stock brick and an off white render to the front elevation allowing for a modern and crisp finish. Within Stonehouse Road there are a plethora of differing designs and a variety of materials are present so the development would not be out of keeping with the surrounding area. Materials can be controlled by way of a condition.

Residential Amenity

Standard of Residential Accommodation

Policy 3.3 of the London Plan (2011) Quality and Design of Housing Developments states the minimum internal floorspace required for residential units on the basis of the level of occupancy that could be reasonably expected within each unit.

Policy BE1 in the Adopted UDP states that the development should respect the amenity of occupiers of future occupants.

The shape, room size and layout of the rooms in the proposed building are considered satisfactory. None of the rooms would have a particularly convoluted layout which would limit their use. All habitable rooms would have satisfactory levels of light.

In terms of amenity space the depth of the rear garden is of sufficient depth and proportion to provide a usable space for the purposes of a five bedroom dwellinghouse.

With regards to the Environmental Health Comments, whilst it is appreciated there is a poor outlook from the lower ground floor guest bedroom it is considered the main living and sleeping accommodation is found within the ground and first floor and the basement accommodation will be used on a sporadic basis. The outlook from the guest bedroom has been improved through the submission of amended plans to allow for a 3m separation distance to the flank wall of the light well. It is considered that if approval were to be forthcoming a condition should be added to the decision notice to restrict the use of the ground floor level as a separate residential unit in order to retain the guest room as a secondary form of accommodation to the main dwelling.

Although it is appreciated that Environmental Health have concerns over the outlook of the study at lower ground floor level it is considered that this room is not a habitable room and as such does not require the same standard of amenity to be provided. It is considered that the room within the basement will not be in continuous use as a main habitable room and the level of natural light provided is of an acceptable standard.

Impact on Adjoining Properties

The habitable room windows will face the northern or southern boundary of the site. No properties are located to the rear of the site within 50m of the boundary and as such it is considered that there is no issue with regards to perceived or actual overlooking. All windows within the flank elevations of the property will be conditioned to be obscurely glazed and non opening below 1.7m in level in the event that permission is forthcoming. On this basis, it is not considered that the dwelling will result in loss of privacy or overlooking of adjacent properties.

Both adjacent properties at White Croft and Middlemarch are angled away from the host property, significantly reducing any potential impact on residential amenity. Although it is noted that the proposed dwelling will be sited within 3.5m of the common side boundary with Middlemarch and project 1m in front, by virtue of the oblique angle and minimal encroachment, it is not considered that the proposed dwelling would impact unduly upon neighbouring amenities. By virtue of the considerable separation distance with the property at White Croft (11m at the rear and 20.5m at the front), it is not considered that the proposed dwelling would unduly impact upon the residential amenity with regards to the owner/occupiers of the neighbouring property.

Car parking

The proposed new dwelling provides a single integral garage and off street parking for up to three vehicles. No objections were raised on behalf of Highways.

Refuse

All new developments should have adequate facilities for refuse and recycling. The applicant has not provided details of refuse storage for the unit in the curtilage however these could be dealt with by condition.

as amended by documents received on 06.03.2015

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- 1 ACA01 Commencement of development within 3 yrs
 ACA01R A01 Reason 3 years
- 2 ACK01 Compliance with submitted plan
 ACK05R K05 reason
- 3 ACH03 Satisfactory parking - full application
 ACH03R Reason H03
- 4 ACH19 Refuse storage - implementation
 ACH19R Reason H19
- 5 ACH26 Repair to damaged roads
 ACH26R Reason H26
- 6 ACH27 Arrangements for construction period
 ACH27R Reason H27
- 7 ACD02 Surface water drainage - no det. submitt
 AED02R Reason D02
- 8 ACA04 Landscaping Scheme - full app no details
 ACA04R Reason A04
- 9 ACA07 Boundary enclosure - no detail submitted
 ACA07R Reason A07
- 10 ACI01 Restriction of all "pd" rights

Reason: In order to prevent overdevelopment of the site in future, to protect the amenities of future residents and nearby residents, and to comply with Policy BE1 of the Unitary Development Plan.

- 11 ACI11 Obscure glaz'g/details of opening (1 in) in the south-west
 and north-east elevations
 ACI11R Reason I11 (1 insert) BE1

12 No development shall commence until a pre-construction tree works schedule is submitted to and approved in writing by the Council. Once approved the works schedule shall be undertaken in accordance with British Standard BS 3998 2010, and prior to the implementation of tree protection measures as detailed in the Tree Protection Plan.

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

- 13 The lower ground floor accommodation shall be used only by members of the household occupying the dwelling and shall not be severed to form a separate self-contained unit.

Reason: In order to comply with Policy H8 of the Unitary Development Plan, to ensure that the accommodation is not used separately and unassociated with the main dwelling and so as to prevent an unsatisfactory sub-division into two or more dwellings.

14 Details and samples of the materials to be used for the external surfaces of the building shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced. The works shall be carried out in accordance with the approved details.

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

15 Details of the windows (including rooflights and dormers where appropriate) including their materials, method of opening and drawings showing sections through mullions, transoms and glazing bars and sills, arches, lintels and reveals (including dimension of any recess) at a scale of 1:5 shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced. The windows shall be installed in accordance with the approved details.

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

16 ACK05 Slab levels - no details submitted
ACK05R K05 reason

INFORMATIVE(S)

1 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.

2 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.

3 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