

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

**Application No :** 15/03284/FULL1

**Ward:**  
**Chelsfield And Pratts**  
**Bottom**

**Address :** 68 Windsor Drive Orpington BR6 6HD

**OS Grid Ref:** E: 546517 N: 163947

**Applicant :** Mr K Browne

**Objections :** YES

**Description of Development:**

Detached two storey 3 bedroom dwelling on land adjacent to 68 Windsor Drive with new vehicular access to No. 68 and associated parking.

**Key designations:**

Biggin Hill Safeguarding Birds  
Biggin Hill Safeguarding Area  
London City Airport Safeguarding  
Local Distributor Roads  
Smoke Control SCA 28

**Proposal**

It is proposed to demolish a detached garage and storage building to the side and rear of this property, and subdivide the site in order to provide a new detached two storey 3 bedroom dwelling which would be set back 1m from the north-eastern flank boundary with No.66, and would provide a 1m gap between the existing and proposed dwellings.

The proposed dwelling would be set roughly in line with the host dwelling and the adjoining property at No.66, although the main two storey element would project approximately 1m further to the rear of No.68.

Two car parking spaces would be provided to the front of the new dwelling using the existing vehicular access, whilst a new vehicular access would be created to serve two new car parking spaces for the host dwelling.

**Location**

This site is currently occupied by a two storey semi-detached dwelling which has a detached garage to the side and a small storage building. The site has a frontage of 14m, and a 30m deep rear garden.

The surrounding area is characterised by a mixture of detached and semi-detached dwellings set within reasonable sized plots.

## **Comments from Local Residents**

Nearby owners/occupiers were notified of the application and no representations were received.

## **Comments from Consultees**

From a highways point of view, the new dwelling would replace the existing garage to the host dwelling, however, each dwelling would still be provided with 2 car parking spaces, and no highways objections are therefore seen to the proposals.

No environmental health or drainage objections are seen to the proposals, and Thames Water raises no concerns.

## **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

## **Conclusions**

The main issues in this case are the impact of the proposals on the character and spatial standards of the surrounding area, and on the amenities of neighbouring residential properties.

The subdivision of this site to provide a new dwelling is considered acceptable in principle as the subdivided sites would still each maintain a reasonable plot size and width that, although narrower than their immediate neighbours, would not appear out of character with the surrounding area which has a mixture of narrow and wider plots. Furthermore, there would be adequate room to provide parking on the frontage for both the proposed and host dwellings, which is characteristic of the area.

However, the proposed detached dwelling would provide only a 1m separation to the host dwelling (as the site would be subdivided along the line of the flank wall of the host dwelling rather than providing a 1m separation to the dividing boundary for both dwellings), which would strictly speaking be contrary to the Council's side space policy (H9) which aims to protect the spatial characteristics of the area. Nevertheless, a recent appeal was granted for a dwelling on land adjacent to No.60 Windsor Drive (ref.14/02688) which had a similar relationship with its host dwelling. In that case, the Inspector considered that there were examples within the immediate vicinity of houses that were positioned close to each other, and although he recognised that the retained spaces between the proposed and

existing dwellings would be narrow, he did not consider that this would lead to a cramped appearance, nor depart from the established character of the area.

The proposed dwelling would appear subservient to the adjoining dwellings with a lower roof ridge and slightly lower eaves level, and in view of the Inspector's recent comments about the spatial characteristics of the area, the proposals are not considered to appear unduly cramped within the street scene, nor out of character with the area.

With regard to the impact on neighbouring properties, the main two storey part of the dwelling would project only 1m beyond the rear elevation of No. 68 and would be set 1m away. The host dwelling currently has a rear conservatory to its western side, and the new dwelling would have a similar depth single storey rear element for its full width. A first floor bathroom window is proposed in the south-western flank elevation facing No.68 which would be obscure glazed to prevent overlooking. The proposals are not therefore considered to result in undue loss of light, privacy or outlook to the host dwelling at No.68.

With regard to the impact on No.66, the proposed dwelling would be set back 1m from the north-eastern flank boundary with No.66, and the adjoining property currently has a single storey extension along the boundary which would still project further to the rear of the proposed new dwelling. A first floor staircase window is proposed in the north-eastern flank elevation facing No.66 which would be obscure glazed to prevent overlooking. The new dwelling is not therefore considered to adversely affect the amenities of the adjoining dwelling at No.66.

In conclusion, the proposals are not considered to have a detrimental impact on the character and spatial standards of the surrounding area, nor adversely affect the amenities of adjoining occupiers.

## **RECOMMENDATION: PERMISSION**

### **Subject to the following conditions:**

- 1 The development to which this permission relates must be begun not later than the expiration of 3 years, beginning with the date of this decision notice.**

**Reason: Section 91, Town and Country Planning Act 1990.**

- 2 Details 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**

- 3** Details of a surface water drainage system (including storage facilities where necessary) shall be submitted to and approved in writing by the Local Planning Authority before any part of the development hereby permitted is commenced and the approved system shall be completed before any part of the development hereby permitted is first occupied, and permanently retained thereafter.

**Reason:** To ensure satisfactory means of surface water drainage and to accord with Policy 5.12 of the London Plan

- 4** 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 (England) 2015 (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.

- 5** The gradient of the parking spaces shall not exceed 1:10 at any point.

**Reason:** In order to comply with Policy T18 of the Unitary Development Plan and in the interest of pedestrian and vehicular safety.

- 6** No windows or doors additional to those shown on the permitted drawing(s) shall at any time be inserted in the first floor flank elevation(s) of the dwelling hereby permitted, without the prior approval in writing of the Local Planning Authority.

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

- 7** Before the development hereby permitted is first occupied the proposed window(s) in the first floor flank elevations shall be obscure glazed to a minimum of Pilkington privacy Level 3 and shall be non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed and the window(s) shall subsequently be permanently retained in accordance as such.

**Reason: In the interests of the amenities of nearby residential properties and to accord with Policies BE1 and H8 of the Unitary Development Plan**

- 8 The development hereby permitted shall not be carried out otherwise than in complete accordance with the plans approved under this planning permission unless previously agreed in writing by the Local Planning Authority.**

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

- 9 A side space of 1 metre shall be provided between the flank walls of the dwelling hereby permitted and the flank boundaries of the property.**

**Reason: In order to comply with Policy H9 of the Unitary Development Plan and in the interest of the visual amenities of the area.**

**You are further informed that:**

- 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.**
- 2 You should consult the Land Charges and Street Naming/Numbering Section at the Civic Centre on 020 8313 4742 or e-mail: [address.management@bromley.gov.uk](mailto:address.management@bromley.gov.uk) regarding Street Naming and Numbering. Fees and application forms are available on the Council's website at [www.bromley.gov.uk](http://www.bromley.gov.uk)**
- 3 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.**
- 4 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](http://www.bromley.gov.uk/CIL)**