

## **Section '4' - Applications recommended for REFUSAL or DISAPPROVAL OF DETAILS**

**Application No :** 16/00895/FULL1

**Ward:**  
**Bickley**

**Address :** 42 Orchard Road Bromley BR1 2PS

**OS Grid Ref:** E: 541569 N: 169802

**Applicant :** Mr John Doyle

**Objections :** YES

### **Description of Development:**

Demolition of existing dwelling and erection of 8 flats (2x3 bed, 4x2 bed and 2x1 bed) associated parking and landscaping.

Key designations:

Biggin Hill Safeguarding Area

London City Airport Safeguarding

Open Space Deficiency

Smoke Control SCA 10

### **Proposal**

Planning permission is sought for the demolition of existing dwelling and erection of 8 flats (2x3 bed, 4x2 bed and 2x1 bed) associated parking and landscaping.

### **Location**

The application site currently comprises of a detached single storey dwelling set on a large and prominent corner plot on the southern side of Orchard Road and the corner of Sundridge Avenue. The land to the south of the application site, beginning along Sundridge Avenue, is defined as a conservation area. The interest of Sundridge Avenue Conservation Area lies in its completeness as a row of substantial late Victorian villas.

The existing bungalow has a relatively low profile in relation to the Sundridge Avenue street scene and the adjacent Conservation Area which arises from not only the single storey height of the dwelling but also the surrounding space within its plot together with the set-back from the Sundridge Avenue frontage: there is currently around a 12m minimum set-back between the front of the existing dwelling and Orchard Road and around 12.8m minimum set-back between the flank wall of the bungalow and Sundridge Avenue.

This spaciousness is mirrored on the opposite corner of Sundridge Avenue and Orchard Road, where there is a generous separation between No.22 and the two highway boundaries.

The surrounding area is predominantly residential in character, although in the immediate context of the application site is a preparatory school on the opposite side of Orchard Road, and to the south in Sundridge Avenue is a care home.

Along Orchard Road the properties are varied in age, size and design, however, a significant number of them are substantial in scale, being either larger dwellings or blocks of apartments. The dwellings are also varied to the south along Sundridge Avenue.

## **Consultations**

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

- Overdevelopment of the plot - the current approved plan was for one large family home, previous plans for two houses were rejected .
- Unsuitable location for a block of flats
- No precedent on this side of the road for such a development
- Flats opposite should not be considered as relevant precedent as they were built 35 years ago
- There is an attempt to replicate the Arts and Crafts style but this is not achieved in a satisfactory fashion for such a prominent gateway location adjoining the Conservation area.
- Siting is insensitive to its relatively close proximity to the adjoining chalet bungalow.
- Would interfere with sightlines to the Conservation area
- Approved proposal was family of 7 to occupy. This proposal will have 24 plus residents
- Most households will have more than 1 car and only 1 space per dwelling is provided
- Traffic impact assessment has not taken into account the 2 schools, nor the proposed development of St Raphaels (52 units)
- Additional traffic along Orchard Road and Sundridge Avenue
- Traffic and parking congestion
- The traffic audit study presented fails to adequately represent the norm for the location, any observations evidenced would have been significantly unrepresented as the exercise was undertaken outside term time when the schools were shut as it was half term.
- The audit also fails to mention that the 314 bus service is a single deck only of a maximum of 4 busses an hour and becomes overcrowded.
- The junction is already dangerous
- Corner landmark property on edge of Conservation area. Proposal will impact significantly on that view.
- Overlooking to neighbouring property
- Noise and disturbance from parking spaces along the boundary

Highways officer - The development is situated on the corner of Orchard Road and Sundridge Avenue, which is accessed via both Orchard Road to the north and

Sundridge Avenue to the east. Orchard Road forms a priority controlled junction with Sundridge Avenue at the north east corner of the site. Immediately opposite the site is Beaside Preparatory School; also there are school keep clear road markings in the vicinity of the school entrance on the north side of Orchard Road and a pelican crossing approximately 10 metres to the west of the site access. There are double yellow lines at the junction with Sundridge Avenue prohibiting parking at all times.

Eleven car parking spaces are indicated on the submitted plans accessed utilising the existing access arrangements. This is acceptable. Cycle parking storage is also indicated on the plan

No objection subject to conditions

From a conservation perspective, the main issue is the view into the adjacent conservation area along Sundridge Avenue. For this reason the side space was increased in order to achieve permission under 15/00862/FULL1.

Trees officer - No objection in principle subject to conditions  
Considerations

Drainage - no objections subject to conditions

### **Planning Considerations**

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

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  
BE13 Development Adjacent to a Conservation Area

H1 Housing Supply  
H7 Housing Density and Design  
H8 Residential Extensions  
H9 Side Space  
NE7 Development and Trees  
T3 Parking  
T7 Cyclists  
T18 Road Safety

SPG: Sundridge Avenue Conservation Area  
SPG1 General Design Principles  
SPG2 Residential Design Guidance

London Plan:

3.3 Increasing Housing Supply  
3.4 Optimising Housing Potential

3.5 Quality and Design of Housing Developments

5.3 Sustainable Design and Construction

5.13 Sustainable Drainage

6.9 Cycling

6.13 Parking

7.2 An Inclusive Environment

7.3 Designing out crime

7.4 Local Character

7.6 Architecture

Mayor of London's Housing Supplementary Planning Guidance 2016

The NPPF 2012

## **Planning History**

Planning permission was refused for the demolition of the existing dwelling and erection of 2 detached two storey dwellings including detached single storey garage to rear under planning ref.12/04009. The application was subsequently dismissed at Appeal. In his report, the appeal Inspector concluded that the house at plot 1 adjacent to Sundridge Avenue would erode the open character of this corner harmful to the setting of the Sundridge Avenue Conservation Area.

A revised application for 2 two storey detached dwellings was also refused by the Council, under planning ref.13/01074 and subsequently dismissed at Appeal in a decision dated 28th Nov. 2013. The inspector considered that the proposal was insufficient to "address the previous Inspector's fundamental concerns over the introduction of a two storey (plus rooms in the roof) new dwelling into an open gap that defines the boundary to the Conservation Area" (Para.5, appeal decision, 28 Nov.2013). Furthermore, the design, scale and layout of the house at plot 1 would have been out of character with and harmful to the character and appearance of the adjacent Conservation area.

A subsequent application for 2 detached two storey dwellings with single garage to rear was refused by the Council on 16th Jan 2014 under ref.13/03677. The reason for refusal was:

The proposed dwellings, by reason of their scale, bulk and prominent positioning in relation to the Sundridge Avenue conservation area, would be harmful to the setting of the adjacent conservation area and detrimental to the visual amenities of the street scene, contrary to Policies BE1, BE13 and H7 of the Unitary Development Plan

Planning permission was also refused on 23rd September 2014 under ref 14/02857/ful for the demolition of existing single storey bungalow and erection of a two storey detached house. It was refused for the following reasons:

The proposed dwelling, by reason of its scale, bulk and positioning in relation to the boundaries, would erode the open character of this corner, harmful to the setting of the Sundridge Avenue Conservation Area and detrimental to the visual amenities

of the street scene, contrary to Policies BE1, BE13, H7 and H9 of the Unitary Development Plan.

The proposed development would give rise to an unacceptable degree of overlooking and loss of privacy and amenity to the occupiers of No 40 Orchard Road, contrary to Policy BE1 of the Unitary Development Plan.

Planning permission was subsequently granted on 15th May 2015 under ref: 15/00862/full the demolition of the bungalow and the erection for a two storey detached dwellinghouse with associated vehicle parking

## **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.

### **Design, Siting and Appearance**

Policy BE1 and the Council's Supplementary design guidance seek to ensure that new development, is of a high quality design that respects the scale and form of the host dwelling and are compatible with surrounding development. This includes consideration of gaps between dwellings, when they contribute to the character of the area.

There is extensive history on this site as summarised above. One of the main concerns with the previously refused applications and the dismissed appeal was the impact upon the views towards the adjacent conservation area and the setback of the building to the boundary on Sundridge Avenue. Planning permission was however approved in May 2015 reference 15/00862/FULL1 for a large single family dwelling house. The approved plans indicated that there would be a separation of approximately 10 and 13 metres away from the property boundary with Sundridge Avenue. This was a more generous separation than proposed in the previously refused applications, and was considered sufficient to overcome the Inspector's concerns over the introduction of a two-storey (plus rooms in the roof) new dwelling into an open gap that defines the boundary to the Conservation Area.

This current proposal maintains a generous side setback in line with the previously approved application, at approximately 9 and 14m, albeit a slightly different articulation and staggered flank wall on the Sundridge Avenue elevation. Further, in terms of the physical building, this proposal is similar in footprint, and bulk to the approved scheme. Whilst the western elevation will be approximately 3m closer to the boundary than the approved scheme, a 5m setback from the boundary will be maintained. On balance, taking into consideration what has been approved, the building per se would not be unduly prominent within the streetscape and would not be detrimental to the visual amenity of the area and the adjacent conservation area.

Notwithstanding the above view in relation to the physical appearance of the building, the previously approved application was for a single family dwelling. This

application now relates to 8 units, 2 of which are for two x 3 bed family units. The increase in the number of units on this site will intensify the use of the site and this is considered to be detrimental to the character of the area which is largely detached single family dwellinghouses set on generous size plots. This would be contrary to Policies BE1 of the UDP and 3.5 of the London Plan.

It is acknowledged that there are flatted developments on the northern side of Orchard Road, however the subject site is located on a prominent corner with views through to the adjacent Conservation area. The Inspector dismissed the previous appeal on the impact upon the conservation area and therefore whilst the physical built form may now be accepted, the appeal decision is still relevant in that it is this context that the site should be viewed rather than the context of the properties on the opposite side of the road in Orchard Road. Within this immediate context to the west and south of the site, there are single family dwellinghouses on generous sized plots and the introduction of 8 units would be an overintensification of the site detrimental to the character of the surrounding area.

### Standard of Accommodation

Policy 3.5 of the London Plan states the minimum internal floor space required for residential units on the basis of the level of occupancy that could be reasonably expected within each unit. The minimum standards outlined within Policy 3.5 and the Mayors Housing SPG 2016 have been met. The proposed units would provide a satisfactory level of internal amenity in terms of outlook and sunlight/daylight.

### Amenity Space

No private amenity space has been provided for any of the units, which would fail to comply with the London Plan where 5sqm for 1 -2 person dwellings and 1sqm for each additional occupant would be required. All new units should be provided with private open space. In addition two of the units are 3 bed family units and in the interest of good design, direct access at ground floor level to amenity space should be provided. One of the three bed units is located on the first floor.

### Impact upon residential amenity

Two habitable room windows are proposed on the western elevation at first floor level serving a living room and at ground floor serving a bedroom. The first floor level window would be located approximately 12.4m from the boundary and obscure glazing on the lower level is proposed to prevent direct overlooking to the adjacent single storey dwelling 40 Orchard Road. Further, there is adequate separation to the boundary and the proposal is not considered to have any adverse impact upon the amenities of No.40 Orchard Road.

To the south, there would remain a substantial separation between the proposed houses and 19 Sundridge Avenue, which is a nursing home and as such the impact on the amenities of residents at the home is considered acceptable.

## Highways and Traffic Issues

The site is located in an area with low PTAL rate of 1b (on a scale of 1 - 6, where 6 is the most accessible). It is therefore likely that future residents will own cars.

### Car Parking:

The development is situated on the corner of Orchard Road and Sundridge Avenue, which is accessed via both Orchard Road to the north and Sundridge Avenue to the east. Orchard Road forms a priority controlled junction with Sundridge Avenue at the north east corner of the site. Immediately opposite the site is Beaside Preparatory School; also there are school keep clear road markings in the vicinity of the school entrance on the north side of Orchard Road and a pelican crossing approximately 10 metres to the west of the site access. There are double yellow lines at the junction with Sundridge Avenue prohibiting parking at all times.

The maximum residential parking standards require up to 1.5 parking spaces for 3 bed properties and less than 1 parking space per unit for 1-2 bed properties . Eleven car parking spaces are indicated on the submitted plans accessed utilising the existing access arrangements. This is acceptable and complies with the maximum standards as set out in the UDP. Three additional spaces have therefore been provided.

### Traffic impact:

The peak hour for residential development would be in the morning peak between 8:00 to 9:00am 0.408 vehicles per dwelling will depart i.e.  $9 \times 0.408 = 4$  vehicles and 1 will arrive in the morning peak. Similarly in the afternoon peak between 17:00 and 18:00 0.361 will arrive  $9 \times 0.361 = 3$  to 4 car will arrive. As it can be seen from these figures the impact on the network is minimal and the afternoon peak does not coincide with the school departure.

### Cycle storage:

A covered and secure cycle storage facility is provided for the flats to encourage cycling as a sustainable transport alternative. Cycle parking will be needed at 1 space per 1 bed unit and 2 spaces for all other dwellings and this could be dealt with by condition.

## Trees

The application site is largely free of mature trees and is currently landscaped with a large area of lawn and a number of flower beds, planted with occasional low level shrubs. The application site appears to be large enough to accommodate the proposed development, whilst retaining aspects of the current design/layout. As details of landscaping have not been submitted with the application, a condition could be required requesting further details

Having had regard to the above it was considered that the siting, size and design of the building is acceptable on balance, however the intensification of the site due to 8 units proposed on the site would be detrimental to the character and appearance of the wider area. Furthermore, no private amenity space is provided for the units.

**RECOMMENDATION: APPLICATION BE REFUSED**

**The reasons for refusal are:**

- 1      The increase in the number of units will intensify the use of the site and would be detrimental to the character of the surrounding area which are largely single family dwelling houses on generous sized plots. This would be contrary to Policies BE1 of the UDP and 3.5 of the London Plan.**
- 2      No private amenity space is provided for any of the units which is contrary to Policy 3.5 of the London Plan and the associated Housing SPG 2016.**