

SECTION '2' – Applications meriting special consideration

Application No : 16/04278/FULL1

Ward:
Cray Valley East

Address : 13 Riverside Close Orpington BR5 3HJ

OS Grid Ref: E: 547373 N: 169233

Applicant : Mrs Tina Priestman

Objections : YES

Description of Development:

Detached outbuilding

Key designations:

Conservation Area: St Pauls Cray
Areas of Archeological Significance
Biggin Hill Safeguarding Area
London City Airport Safeguarding
Smoke Control SCA 20
Urban Open Space

Proposal

This application is for a single storey outbuilding located at the rear of the site, on land that adjoins the communal rear car park. The outbuilding will have dimensions of 6.0m by 4.6m at its widest point. The roof will be sloped with a maximum height of 2.6m.

Location

The application site is a mid-terraced property located on Riverside Close, a row of 18 properties. The site is located within St Paul's Cray Conservation Area and adjacent to a Site of Importance for Nature Conservation (SINC).

Comments from Local Residents

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

- 5 supporting comments have been received.
- 3 objections have been received on the basis of excessive size and the harmful impact the development would have on the character of the Conservation Area. A consistent approach must be taken in light of the planning history at No. 8.

Consultations

None.

Planning Considerations

The application falls to be determined in accordance with the following:

National Planning Policy Framework (NPPF) (2012)

The NPPF confirms that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise.

Chapter 7 - Requiring Good Design

Chapter 12 - Conserving and enhancing the historic environment

The London Plan (2015)

Policy 7.4 Local Character

Policy 7.6 Architecture

Policy 7.8 Heritage Assets

Unitary Development Plan (2006)

BE1 Design of New Development

BE11 Conservation Areas

G8 Urban Open Space

Other Guidance

Supplementary Planning Guidance 1 - General Design Principles

Planning History

The site has been subject to previous planning applications:

- 86/00020/OUT - Land at Main Road, St Pauls Cray Orpington. Erection of 32 terraced 2 bedroom dwellings with garages, parking spaces and estate road for residential use OUTLINE - Refused 06.03.1986
- 87/01265/FUL - Main Road, St Pauls Cray - 18 terraced one, two and three bedroom houses with parking spaces, estate road and public open space - Permitted 27.08.1987

Planning permission was retrospectively refused under ref. 16/03480 for a 2 metre high fence to enclose owned land. The application was refused at Plans Sub-Committee on the 20th October 2016. The refusal grounds were as follows:

'The fence results in an unsatisfactory departure from the existing open visual qualities of the estate layout, thereby harmful to local character and contrary to Policies BE7 and G8 of the Unitary Development Plan.

The fence by reason of its height and location constitutes an insensitive form of the development, which would fail to preserve or enhance the character and appearance of the St Pauls Cray Conservation Area, and contrary to Policy BE11 of the Unitary Development Plan.'

Planning permission was retrospectively refused at No. 8 Riverside Close under ref. 16/03633 for a detached outbuilding. The application was refused at Plans Sub-Committee on the 20th October 2016. The refusal grounds were as follows:

'By reason of its size and location and encroachment onto an open grassed area, the development serves to undermine the open visual qualities of the estate layout, is harmful to the Urban Open Space designation and fails to preserve or enhance the character and appearance of the St Paul's Cray Conservation Area, contrary to Policies BE1, G8 and BE11 of the Unitary Development Plan.'

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.

This application seeks permission to erect a single storey outbuilding located to the rear of No. 13 Riverside Close. The outbuilding will be constructed on land adjoining the communal car park which is under the ownership of the applicant. Conditions 4 and 30 of permission 87/01265/FUL specifically prohibits permitted development therefore the erection of any outbuilding requires planning permission.

London Plan Policy 7.4 requires developments to have regard to the form, function, and structure of an area. 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 is compatible with surrounding development. Policy BE1 also seeks to ensure that new development proposals, including residential extensions respect the amenity of occupiers of neighbouring buildings and that their environments are not harmed by noise and disturbance or by inadequate daylight, sunlight or privacy or by overshadowing.

The site lies within the St Pauls Cray Conservation Area; therefore Policy BE11 of the UDP and London Plan Policy 7.8 is relevant to this application. These policies seek to preserve and enhance the character and appearance of Conservation Areas.

The outbuilding is 4.6m wide and 4.3m deep. It has an eaves height 2.5m and a maximum height of 2.6m. The materials proposed for the outbuilding consists of timber panels, in-keeping with the existing fence to the rear of the application site.

A number of objections have been received in relation to the outbuilding setting a precedent for similar developments in the area and that a consistent approach

must be taken in light of the recent planning history at No. 8. Some supporting comments have also been received.

In this particular case the proposed outbuilding will be significant in size and the recently refused application at No. 8 must be considered as a material planning consideration. This proposal would, therefore, be considered to impact detrimentally on the character and appearance of this part of the Conservation Area and would impact harmfully on the Urban Open Space setting. The development is therefore considered to contravene with the overarching aims and objectives of Policies BE1, BE11 and G8 of the UDP, Policies 7.4, 7.6 and 7.8 of the London Plan and the NPPF.

Having had regard to the above it was considered that, on balance, the siting, size and design of the proposed outbuilding is unacceptable in that it would fail to preserve the character and appearance of the St Pauls Cray Conservation Area and would impact detrimentally on the open character of the Urban Open Space. It is therefore recommended that Members refuse planning permission in accordance with the recent planning histories at Nos. 8 and 13 Riverside Close.

Background papers referred to during production of this report comprise all correspondence on file ref(s): 16/03480, 16/03633 and 16/04278 excluding exempt information.

RECOMMENDATION: APPLICATION BE REFUSED

The reasons for refusal are:

- 1 By reason of its size and location and encroachment onto an open grassed area, the development serves to undermine the open visual qualities of the estate layout, is harmful to the Urban Open Space designation and fails to preserve or enhance the character and appearance of the St Paul's Cray Conservation Area, contrary to Policies BE1, G8 and BE11 of the Unitary Development Plan.**