

SECTION '2' – Applications meriting special consideration

Application No : 16/05466/FULL1

Ward:
Petts Wood And Knoll

Address : 24 Keswick Road Orpington BR6 0EU

OS Grid Ref: E: 545955 N: 166439

Applicant : Mr Joey Macedo

Objections : YES

Description of Development:

Demolition of existing dwelling and detached garage at rear, and erection of 2 two storey 4 bedroom semi-detached dwellings with accommodation in roofspace, associated accesses and 4 car parking spaces

Key designations:

Smoke Control SCA 4

Proposal

It is proposed to demolish the existing chalet bungalow on the site and a detached garage at the rear, and construct 2 two storey 4 bedroom semi-detached dwellings with accommodation in the roofspace which would front onto Keswick Road. The side wings of the dwellings would have a lower roofline and would be set back from the front elevation.

Minimum separations of 2.1m would be provided to the side boundaries of the site, and the rear parts of the dwellings would be staggered 6-6.5m away from the side boundaries. The plot width of each property would be approximately 11-12m, and each dwelling would have a rear garden depth of 23m.

Two car parking spaces would be provided for Plot 1 via a new vehicle access from Stanley Road adjacent, whilst the 2 spaces for Plot 2 would be located at the front of the site adjacent to No.22 Keswick Road using an existing access.

Location

This site lies at the corner of Keswick Road and Stanley Road, and is occupied by a detached chalet-style bungalow which has been extended in the past. It is bounded to the north by a two storey dwelling at No.22, and the site slopes upwards to the west where it is bounded by a large detached dwelling at No.2 St. Kilda Road. The surrounding area contains a mixture of detached and semi-detached dwellings set within varying plot sizes.

Consultations

Nearby owners/occupiers were notified of the application and representations were received, including from Knoll Residents' Association, which can be summarised as follows:

- overdevelopment of the site
- out of character with the surrounding area

- loss of light, privacy, views and outlook to neighbouring properties
- property could be divided into flats which is out of character with the area
- building would project forward of the main front building line
- insufficient separation would be provided to the side boundaries
- semi-detached properties are not characteristic of the area
- loss of a much needed bungalow
- poor design of replacement building
- there would be reduced visibility at the junction of Keswick Road and Stanley Road
- lack of adequate parking
- hazardous access onto Stanley Road
- proposals would obstruct sightlines at the junction of Keswick Road and Stanley Road
- proposals could damage a protected tree at No.22
- damaging impact on wildlife in the area including bats and badgers
- noise and disturbance during construction works
- would set an undesirable precedent
- inaccuracies in submitted documents
- landscaping scheme is unfeasible
- if garages are built where the parking spaces are, they would be an eyesore.

The application has been called into committee by a Ward Councillor.

Comments from Consultees

No objections are raised to the proposals from a highways point of view. The on-street parking bay layout would need to be altered which would be at the applicant's expense.

No objections are raised from a drainage point of view, and Thames Water has 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 and Design

H9 Side Space

T3 Parking

T18 Road Safety

NE7 Development and Trees

The Council is preparing a Local Plan and commenced a period of consultation on its proposed submission draft of the Local Plan on November 14th 2016 which closed on December 31st 2016 (under The Town and Country Planning (Local Planning) (England) Regulations 2012 as amended). It is anticipated that the draft Local Plan will be submitted to the Secretary of State in the early part of 2017. These documents are a material consideration. The weight attached to the draft

policies increases as the Local Plan process advances. The relevant policies are as follows:

- Draft Policy 4 - Housing Design
- Draft Policy 8 - Side Space
- Draft Policy 30 - Parking
- Draft Policy 32 - Road Safety
- Draft Policy 37 - General Design of Development
- Draft Policy 73 - Development and Trees

London Plan (2015) Policies:

- Policy 3.3 Increasing Housing Supply.
- Policy 3.4 Optimising Housing Potential
- Policy 3.5 Quality and design of housing developments
- Policy 3.8 Housing choice
- Policy 5.1 Climate change mitigation
- Policy 5.2 Minimising carbon dioxide emissions
- Policy 5.3 Sustainable design and construction
- Policy 5.7 Renewable energy
- Policy 5.9 Overheating and cooling
- Policy 5.10 Urban greening
- Policy 5.11 Green roofs and development site environs
- Policy 5.12 Flood risk management
- Policy 5.13 Sustainable drainage
- Policy 5.14 Water quality and wastewater Infrastructure
- Policy 5.15 Water use and supplies
- Policy 5.16 Waste net self-sufficiency
- Policy 5.17 Waste capacity
- Policy 5.18 Construction, excavation and demolition waste
- Policy 6.5 Funding Crossrail and other strategically important transport infrastructure
- Policy 6.9 Cycling
- Policy 6.13 Parking
- Policy 7.2 An inclusive environment
- Policy 7.3 Designing out crime
- Policy 7.4 Local character
- Policy 7.6 Architecture
- Policy 7.14 Improving Air Quality
- Policy 8.2 Planning obligations
- Policy 8.3 Community infrastructure levy

Housing Supplementary Planning Guidance (2016)

The National Planning Policy Framework (NPPF) is also a consideration.

Planning History

Outline permission was refused in 1986 for a detached dwelling in the rear garden of No.24 fronting onto Stanley Road (ref.86/00071), on grounds relating to the unsatisfactory subdivision of the plot, cramped overdevelopment, inadequate

amenity space for the existing and proposed dwellings, and the detrimental impact on neighbouring properties. The subsequent appeal was dismissed in 1987.

Conclusions

The main issues in this case are whether the proposals would result in an acceptable amount and standard of development on the site, and the impact of the proposals on the character and spatial standards of the surrounding area, on the amenities of neighbouring residential properties, on parking provision and road safety in the highway, and on important trees on or adjacent to the site.

Density and standard of accommodation

Table 3.2 of Policy 3.4 (Optimising Housing Potential) of the London Plan (2015) gives an indicative level of density for new housing developments, and in this instance, the proposal represents a density of 18 dwellings per hectare with the table giving a suggested level of between 35-95 dwellings per hectare in a suburban area with a 2 PTAL location. The proposals would therefore result in an intensity of use of the site that would be below the thresholds in the London Plan. However, the proposals need to be assessed against the wider context in terms of the character, spatial standards and townscape value of the surrounding area.

The proposals comprise 2 three storey 4 bedroom 8 person dwellings. The London Plan suggests that the minimum size of a four bedroom 8 person dwelling over three storeys should be 130sq.m. Each dwelling would provide 310sq.m. floorspace, thereby achieving this standard.

The applicant has confirmed that the proposals would comply with Part M4(2) of the Building Regulations "accessible and adaptable dwellings", and therefore complies with Policy 3.8 of the London Plan 2015 and the Mayors Housing Supplementary Planning Guidance 2016.

Impact on character and spatial standards

The application site forms a large corner plot within a residential area characterised by mainly detached dwellings set within varying sizes of plot, although there are semi-detached properties in close proximity to the site at Nos.19 and 21 Keswick Road and Nos.4 and 6 Stanley Road. The plot widths of surrounding dwellings vary between 9-28m, whilst the proposed dwellings would have plot widths of 11-12m. The plot depths would be 46-48m and the rear garden depths would be 23m which is characteristic of Keswick Road, and the overall size of the plots would not therefore be out of character with the area. Although detached dwellings predominate in the area, the construction of a pair of semi-detached dwellings on this plot is not considered to appear out of character with the area in principle given the close proximity of semi-detached dwellings in Keswick Road and Stanley Road which have similar plot sizes to the proposed dwellings.

The proposed dwellings would be 2.5-4.5m higher than the existing chalet bungalow, but would be a similar height to the adjacent dwelling at No.22. This property has a width of approximately 15m, and whilst the proposed building at No.24 would have a width of 19m, the side wings would have a significantly lower

roofline with the first floor accommodation contained within the roof, and the northern wing would be set back from the front elevation thus giving a subservient appearance.

A separation of 2.1m would be provided to the side boundary with No.22, whilst a separation of between 2.1-2.7m would be provided to the southern flank boundary with Stanley Road. The proposed dwellings would be sited approximately 1.5-7m forward of the existing dwelling which currently angles slightly away from Keswick Road towards Stanley Road, and the building would project 1.5m forward of No.22 at its nearest point. The building would still be set back 6.8-9.5m from the front boundary of the site, and given the side separations to the neighbouring dwelling and the lower rooflines to the side, Members may, on balance, consider that the proposals would not be significantly detrimental to the character and spatial standards of the area.

Impact on residential amenity

With regard to the impact on the adjacent property at No.22 Keswick Road, the rearmost part of the dwellings would project 5.5m further to the rear of this property, but this aspect would be set back 8.5m from the adjacent dwelling, whilst the nearest part of the building would project only 1m further to the rear. This part of the building would also have a significantly lower roofline (2.6m below the main roof) which would also help to lessen the impact on the adjacent property in terms of any loss of light or outlook.

The proposed building would also project 1.5m forward of the dwelling at No.22, but there would be 4m between the dwellings, and the light to and outlook from the dwelling at No.22 and its rear garden would not be unduly affected. No first floor flank windows are proposed that would face No.22, but there are a number of rooflights to the second floor accommodation, and it is not clear whether they would be high-level. However, they appear to be largely secondary windows, and can be conditioned to be obscure glazed in order to prevent any undue overlooking.

The dwelling to the rear of the application site at No.2 St Kilda Road is set at a higher level than the application site and has a garage located on the boundary. It would be set approximately 28m away from the proposed dwellings, and the proposals are not considered to result in a significant loss of privacy or outlook.

The occupiers opposite at No.1 Stanley Road have raised concerns about loss of outlook and privacy to the rear of their property and their rear garden which backs onto Keswick Road. The new dwellings would appear more bulky than the existing chalet bungalow which has only one front dormer window at first floor level, and a total of 8 front windows are proposed at first floor level, 2 of which would be to bathrooms, and 6 to bedrooms. Although some loss of outlook and privacy may occur, the new dwellings would be located a minimum 36m away from the rear elevation of No.1, and windows at this level are not uncommon on this side of Keswick Road. On balance, Members may consider that the relationship between these properties is acceptable.

Residents have also raised concerns about a rear balcony at first floor level, but this would be balustrading only with the doors opening inwards, therefore, no overlooking would occur.

The proposals are not therefore considered to result in a significant loss of amenity to neighbouring properties.

Impact on parking and road safety

The Council's Highways Officer has raised no objections to the proposals in terms of the parking spaces provided, the layout and the means of access, subject to reinstating two of the existing accesses as footway, and alterations to the on-street parking bays.

In response to neighbour's concerns, the applicant has confirmed that no garages are proposed as part of the proposals.

Impact on trees

There are no trees of significance on the site, however there is a pine tree in the front garden of No.22 immediately adjacent to No.24 which is protected by a TPO. The existing driveway access from Keswick Road, which would serve the parking for Plot 2, passes beneath the protected pine tree, but the overhanging canopy is minimal which indicates that clearance pruning has taken place in the past. The current drive is hard surfaced and the two car parking bays proposed close to the neighbouring tree would be constructed to a no-dig design. The proposals are not therefore considered to be harmful to the adjacent protected tree.

Conclusions

The proposals are not considered to result in an overdevelopment of the site, would be in keeping with the character and spatial standards of the area, and would not unduly impact on residential amenity, parking, road safety or trees.

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 a scheme of landscaping, which shall include the materials of paved areas and other hard surfaces, shall be submitted to and approved in writing by the Local Planning Authority before the commencement of the development hereby permitted. The approved scheme shall be implemented in the first planting season**

following the first occupation of the buildings or the substantial completion of the development, whichever is the sooner. Any trees or plants which within a period of 5 years from the substantial completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species to those originally planted.

Reason: In order to comply with Policy BE1 of the Unitary Development Plan and to secure a visually satisfactory setting for the development.

- 3** Before any part of the development hereby permitted is first occupied boundary enclosures of a height and type to be approved in writing by the Local Planning Authority shall be erected in such positions along the boundaries of the site(s) as shall be approved and shall be permanently retained thereafter.

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

- 4** There shall be no excavation works beneath the canopy of any trees shown to be retained on the submitted plan. The drive and car parking spaces shall be constructed in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason: In order to comply with Policy NE7 of the Unitary Development Plan to ensure works are carried out using a "no-dig" method of work and according to good arboricultural practice, and in the interest of the health and visual amenity value of trees to be retained.

- 5** 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

- 6** 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

7 No development shall take place until details of drainage works have been submitted to and approved in writing by the Local Planning Authority, and drainage works shall be carried out in accordance with the approved details prior to first use of any dwelling. Prior to the submission of those details, an assessment shall be carried out into the potential for disposing of surface water by means of a sustainable drainage system in accordance with the principles of sustainable drainage systems set out in Annex F of PPS25, and the results of the assessment provided to the Local Planning Authority. Where a sustainable drainage system scheme (SuDS) is to be implemented, the submitted details shall:

i) provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and / or surface waters;

ii) specify the responsibilities of each party for the implementation of the SuDS scheme, together with a timetable for that implementation; and

iii) provide a management and maintenance plan for the lifetime of the development, which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

The scheme shall be implemented, maintained and managed in accordance with the approved details

Reason: To ensure satisfactory means of surface water drainage and to accord with Policy 5.13 of the London Plan

8 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.

- 9 While the development hereby permitted is being carried out a suitable hardstanding shall be provided with wash-down facilities for cleaning the wheels of vehicles and any accidental accumulation of mud of the highway caused by such vehicles shall be removed without delay and in no circumstances be left behind at the end of the working day.**

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

- 10 The existing access shall be stopped up at the back edge of the highway before any part of the development hereby permitted is first occupied in accordance with details of an enclosure to be submitted to and approved in writing by the Local Planning Authority. The approved enclosure shall be permanently retained as such.**

Reason: In order to comply with Policy T11 of the Unitary Development Plan and in the interest of pedestrian and vehicular safety.

- 11 Surface water from private land shall not discharge on to the highway. Details of the drainage system for surface water drainage to prevent the discharge of surface water from private land on to the highway shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of works. Before any part of the development hereby permitted is first occupied, the drainage system shall be completed in accordance with the approved details and shall be retained permanently thereafter.**

Reason: To ensure satisfactory means of surface water drainage and to accord with Policy 4A.14 of the London Plan and Planning Policy Statement 25.

- 12 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order amending, revoking and re-enacting this Order) no building, structure or alteration permitted by Class A, B, C, or E of Part 1 of Schedule 2 of the 2015 Order (as amended), shall be erected or made within the curtilage(s) of the dwelling(s) hereby permitted without the prior approval in writing of the Local Planning Authority.**

Reason: In order to comply with Policies H7 and BE1 of the Unitary Development Plan and to prevent overdevelopment of the site.

- 13 No windows or doors shall at any time be inserted in the northern first floor flank elevation(s) of the building hereby permitted, without the prior approval in writing of the Local Planning Authority.**

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

- 14 Before the development hereby permitted is first occupied, the proposed rooflights in the northern flank roof slope shall be obscure glazed to a minimum of Pilkington privacy Level 3 and the rooflights 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

- 15 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.

- 16 The existing buildings on the site shall be demolished and the site cleared within three months of the first occupation of the building hereby permitted.**

Reason: In order to comply with Policy BE1 of the Unitary Development Plan and to prevent overdevelopment of the site.

- 17 Details of the proposed slab levels of the building(s) and the existing site levels shall be submitted to and approved in writing by the Local Planning Authority before work commences and the development shall be completed strictly in accordance with the approved levels.**

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.

- 18 The development hereby permitted shall be built in accordance with the criteria set out in Building Regulations M4(2) 'accessible and adaptable dwellings' and shall be retained permanently thereafter.**

Reason: To comply with Policy 3.8 of the London Plan 2015 and the Mayors Housing Supplementary Planning Guidance 2016 and to ensure that the development provides a high standard of

accommodation in the interests of the amenities of future occupants.

You are further informed that:

- 1** 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