

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

Application No : 17/00816/FULL1

Ward:
Farnborough And Crofton

Address : 18 Gladstone Road Orpington BR6 7EA

OS Grid Ref: E: 544453 N: 164422

Applicant : Willington Homes Ltd

Objections : YES

Description of Development:

Demolition of annexe and detached garage, and erection of detached two storey 3 bedroom dwelling with associated parking and cycle store at rear

Key designations:

Biggin Hill Safeguarding Area
London City Airport Safeguarding
Smoke Control SCA 14

Proposal

The proposals comprise the demolition of the existing single storey side extension attached to No.18 along with the two existing garages, and the erection of a detached two storey 3 bedroom dwelling. The building would measure 6.5m in width and 9.5m in depth, and it would be set back 1m from the side boundary with No.16A, and 2.5m from the flank wall of No.18.

Two car parking spaces would be provided for the new dwelling on the frontage, whilst two tandem parking spaces would be provided for No.18. A shed for cycle storage is shown in the rear garden with an area for refuse storage for the new dwelling.

Location

No.18 Gladstone Road comprises a detached two storey dwelling which has been extended in the past, and lies on the south-eastern side of Gladstone Road. Two garages are located adjacent to the south-western flank boundary with No.16A Gladstone Road, and it is bounded to the north-east by two storey terraced dwellings.

Consultations

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

- * proposals would result in the loss of on-street parking spaces in a heavily parked area
- * new house would project further to the rear of the adjoining houses resulting in overshadowing
- * noise and disturbance during construction works.

Comments from Consultees

The Council's Highways Officer has commented that Gladstone Road is a cul-de-sac characterised by terraced dwellings having little or no off-street parking, one exception being the application site which is a detached house set on a large plot.

The location has a low PTAL rating of 1b, and the street is not subject to waiting restrictions. Consequently parking occurs on both sides of the street meaning that there is significant demand for on-street parking. There is no significant accident history in the street, and it seems likely that traffic speeds are low.

The proposals include off-street parking for 2 cars for both the existing and proposed dwellings, which is both necessary and in line with UDP standards. Cycle parking is proposed for the new dwelling but does not appear to have been considered for the existing one, however, no objections are raised to the proposals from a highway point of view.

No drainage objections are seen to the proposals.

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
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 mid-2017. These documents are a material consideration. The weight attached to the draft policies increases as the Local Plan process advances. The relevant policy is 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 permissions were refused in the early 1980s for a house on the plot, but permission was granted in 1999 (ref.99/01229) for 2 detached three bedroom houses, each with an integral garage, which was not implemented and subsequently lapsed.

Conclusions

The main issues in this case are the impact of the proposals on the character and appearance of the surrounding area, the amenities of neighbouring properties, and on parking and road safety.

Character and appearance of the area

Housing is a priority use for all London Boroughs and the Development Plan welcomes the provision of small scale infill development provided that it is designed to complement the character of surrounding developments, the design and layout make suitable residential accommodation, and it provides for garden and amenity space. The National Planning Policy Framework (NPPF) states in Paragraph 49 that housing applications should be considered in the context of the presumption in favour of sustainable development.

The NPPF sets out in paragraph 14 a presumption in favour of sustainable development. In terms of decision-making, the document states that where a development accords with a local plan, applications should be approved without delay. Where a plan is absent, silent or relevant policies are out of date, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits or specific policies in the Framework indicate development should be restricted.

The document also encourages the effective use of land by reusing land that has been previously developed (brownfield land) and excludes gardens from the definition of previously developed land.

Policy 3.4 Optimising housing potential of the London Plan seeks to optimise housing potential, taking into account local context and character, the design principles and public transport capacity.

Policy H7 of the UDP sets out criteria to assess whether new housing developments are appropriate subject to an assessment of the impact of the proposal on the appearance/character of the surrounding area, the residential amenity of adjoining and future residential occupiers of the scheme, car parking and traffic implications, community safety and refuse arrangements.

Density

With regard to the density of the proposed development, Table 3.2 of Policy 3.4 (Optimising Housing Potential) of the London Plan gives an indicative level of density for new housing developments. In this instance, the proposal represents a density of 41 dwellings per hectare with the table giving a suggested level of 35-75 dwellings per hectare in suburban areas with a 1 PTAL location. The proposals would therefore result in an intensity of use of the site that would be within the thresholds in the London Plan, however, they need to be assessed against the wider context in terms of the character, spatial standards and townscape value of the surrounding area.

Size, scale and design

Policy 3.4 of the London Plan specifies that Boroughs should take into account local context and character, the design principles (in Chapter 7 of the Plan) and public transport capacity; development should also optimise housing output for

different types of location within the relevant density range. This reflects paragraph 58 of the National Planning Policy Framework, which requires development to respond to local character and context and optimise the potential of sites.

Policy BE1 and H7 of the UDP set out a number of criteria for the design of new development. With regard to local character and appearance development should be imaginative and attractive to look at, should complement the scale, form, layout and materials of adjacent buildings and areas. Development should not detract from the existing street scene and/or landscape and should respect important views, skylines, landmarks or landscape features. Space about buildings should provide opportunities to create attractive settings with hard or soft landscaping and relationships with existing buildings should allow for adequate daylight and sunlight to penetrate in and between buildings.

Policy H9 requires that new residential development for a proposal of two or more storeys in height, a minimum of 1m side space from the side boundaries is maintained, and where higher standards of separation already exist within residential areas, proposals will be expected to provide a more generous side space.

The current proposals are for a detached two storey 3 bedroom house which would be set slightly further back in its plot than the host dwelling to allow for frontage parking, but it would maintain good separations to the adjacent dwellings (2-2.5m), and would be slightly lower in height. A 15.5m deep rear garden would be provided for the new dwelling, whilst a good sized rear amenity area would remain for the host dwelling.

The proposals are not therefore considered to result in an overdevelopment of the site, and would not appear unduly cramped within the street scene, nor out of character with the surrounding area.

Future residential amenity

Policy 3.5 of the London Plan (2015) Quality and Design of Housing Developments 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.

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

The proposals comprise a two storey 3 bedroom 4 person dwelling. The London Plan suggests that the minimum size of a three bedroom 4 person dwelling over two storeys should be 84sq.m., whilst the proposed dwelling would provide 105sq.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 would therefore comply with Policy 3.8 of the London Plan 2015 and the Mayors Housing Supplementary Planning Guidance 2016.

Impact on neighbouring residential amenity

With regard to the impact on residential amenity, the properties most directly affected by the proposals would be the host dwelling (No.18) to the north-east, and No.16A to the south-west. No.16A has recently been extended by way of two storey side and single storey rear extensions.

The new dwelling would project 2m to the rear of No.18 at ground floor level and 3.3m to the rear at first floor level, but it would be set back 2.5m from the host dwelling, and there would be no undue loss of light or outlook from this property. No windows are proposed in the facing flank elevation, and no overlooking would therefore occur.

The adjacent dwelling at No.16A is set at a slightly higher level, and the eaves level and roof ridge of the proposed dwelling would therefore be set at a lower level. The proposed dwelling would maintain a 1m separation from the flank boundary with No.16A, thus providing a minimum gap of 2m between the dwellings, and the two first floor flank bathroom windows in the facing elevation would be obscure glazed with top opening fanlights only, thus protecting privacy.

The proposed dwelling would project 0.5m to the rear of No.16A at ground floor level, and 2.7m to the rear at first floor level, but given the 2m gap between the dwellings and the lower level of the new dwelling, the proposals would not result in significant loss of light or outlook from the neighbouring property.

The proposed cycle store for the new dwelling would lie adjacent to the boundary with No.16A, but it would be of a small domestic nature and would not be harmful to the amenities of the adjoining residents.

The proposals are not therefore, considered to result in undue loss of light, privacy or outlook to the adjacent properties.

Impact on highway safety

With regard to highways matters, the proposals include off-street parking for 2 cars for both the existing and proposed dwellings, which is considered acceptable, and the Council's Highways Officer has raised no objections to the proposals, subject to safeguarding conditions.

Conclusion

The proposals are considered to result in an acceptable form of development on the site which would not have a detrimental impact on the character and spatial standards of the area, nor on the amenities of neighbouring properties or parking in adjacent roads.

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 The boundary enclosures indicated on the approved drawings shall be completed before any part of the development hereby permitted is first occupied 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.

3 No trees on the site shall be felled, lopped, topped or pruned before or during building operations except with the prior agreement in writing by the Local Planning Authority. Any trees removed or which die through lopping, topping or pruning shall be replaced in the next planting season with trees of such size and species as may be agreed with the Authority.

Reason: In order to comply with Policy NE7 of the Unitary Development Plan and to ensure that as many trees as possible are preserved at this stage, in the interest of amenity.

4 The materials to be used for the external surfaces of the building shall be as set out in the planning application forms and / or drawings unless otherwise 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 appearance of the building and the visual amenities of the area.

5 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

6 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.

- 7 Prior to the commencement of the development hereby permitted a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall include measures of how construction traffic can access the site safely and how potential traffic conflicts can be minimised; the route construction traffic shall follow for arriving at and leaving the site and the hours of operation, but shall not be limited to these. The Construction Management Plan shall be implemented in accordance with the agreed timescale and details.

Reason: In order to comply with Policy T5, T6, T7, T15, T16 & T18 of the Unitary Development Plan and in the interest of the amenities of the adjacent properties.

- 8 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.

- 9 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.

- 10 No windows or doors additional to those shown on the permitted drawing(s) shall at any time be inserted in the 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.

- 11 Before the development hereby permitted is first occupied the proposed window(s) in the first floor south-western flank elevation 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

12 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.

13 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.

14 A side space of 1 metre shall be provided between the south-western flank wall of the dwelling hereby permitted and the flank boundary 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.

15 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.

16 A side space of 2.5 metres shall be provided between the north-eastern flank wall of the dwelling hereby permitted and the south-western flank wall of the dwelling at No.18 Gladstone Road.

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 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