

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

Application No : 17/01196/RECON

Ward:
Bickley

Address : 3 Sundridge Avenue BR1 2PU

OS Grid Ref: E: 541566 N: 169516

Applicant : Mr Sam Hampton

Objections : YES

Description of Development:

Variation of Conditions 3 and 5 pursuant to planning permission ref. 13/01321 granted at appeal for demolition of existing dwelling and erection of three 5 bedroom two storey detached dwellings with accommodation in roofspace and associated landscaping and parking arrangements to allow for block paving driveways to all plots and timber/sleeper retaining wall (max height 2.7m) to flank elevation of Plot 3

Key designations:

Conservation Area: Sundridge Avenue
Biggin Hill Safeguarding Area
London City Airport Safeguarding
Open Space Deficiency
Smoke Control SCA 10

REPORT UPDATE

The application was deferred at Plans Sub-Committee on the 25th May to seek a viable solution to the concerns raised over the construction methods used for the retaining wall, and to address inconsistencies within the application regarding ownership of the site. Further information has been received dated 05/06/17 concerning additional investigative works at the site that confirm no damage to the structural integrity of the neighbouring house. Clarification of the land ownership and signing of Certificate A of the planning application form has also been provided. The report is repeated below with updates wherever necessary.

Proposal

Variation of Conditions 3 and 5 pursuant to planning permission ref. 13/01321 granted at appeal for demolition of existing dwelling and erection of three 5 bedroom two storey detached dwellings with accommodation in roofspace and associated landscaping and parking arrangements to allow for block paving driveways to all plots and timber/sleeper retaining wall (max height 2.7m) to flank elevation of Plot 3

Approval is sought to vary the above Conditions in order to allow for block paving for the driveways of all three dwellings along with the provision of a sleeper

retaining wall and timber fence on top along the northern flank boundary of the site adjoining No. 5 Sundridge Avenue.

Location

The site is located on the western side of Sundridge Avenue and comprises three detached two storey dwellings that have recently been constructed. The wider area is characterised by detached dwellings. The site is located adjacent to the Sundridge Avenue Conservation Area, which is to the north of the site.

Comments from Local Residents

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

- Ownership certificate is incorrect
- Materials for wall are unsuitable and have been constructed in front of an existing wall behind the timber retaining wall.
- Support of neighbouring land is compromised by the proposal and the materials used, with subsidence a possibility and tree damage.
- Proposed paving is considered acceptable however it may present a flood risk to Sundridge Avenue

Consultations

Drainage - no objections raised. The driveway material will include a permeable drainage channel at each plot.

Highways - no objections raised subject to a standard condition to prevent drainage from the paved driveways onto the highway.

Thames Water - no comments received.

The Advisory Panel for Conservation Areas (APCA) did not inspect the application.

Planning Considerations

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

BE1 Design of New Development
BE13 Development Adjacent to a Conservation Area
H1 Housing Supply
H7 Housing Density And Design
H9 Side Space
T3 Parking
T18 Road Safety
NE7 Development And Trees

London Plan Policy 3.4 Optimising Housing Potential

London Plan Policy 3.5 Quality and Design of Housing Developments
London Plan Policy 5.13 Sustainable Drainage

National Planning Policy Framework, 2012

Chapter 4 Promoting Sustainable Transport
Chapter 6 Delivering a Wide Choice of High Quality Homes
Chapter 7 Requiring Good Design

The most relevant London Plan policies are as follows:

3.3 Increasing Housing Supply
3.4 Optimising Housing Potential
3.5 Design and Quality of Housing Developments
3.8 Housing Choice
5.1 Climate Change
5.2 Minimising Carbon Dioxide Emissions
5.3 Sustainable Design and Construction
6.9 Cycling
6.13 Parking
7.2 An Inclusive Environment
7.3 Designing out Crime
7.4 Local Character
7.6 Architecture
7.15 Noise
8.3 Community Infrastructure Levy

London Housing Supplementary Planning Guidance

SPG1 - General Design Principles
SPG2 - Residential Design Guidance

Emerging Local Plan

The Council is preparing a Local Plan and the final consultation on its proposed submission draft of the Local Plan closed on December 31st 2016 (under The Town and Country Planning (Local Planning) (England) Regulations 2012 as amended). The updated Local Development Scheme was submitted to Development Control Committee on November 24th 2016 and Executive Committee on November 30th 2016, and indicated the submission of the draft Local Plan 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.

Draft Policy 1 - Housing Supply
Draft Policy 4 - Housing Design
Draft Policy 8 - Side Space
Draft Policy 30 - Parking
Draft Policy 32 - Road Safety
Draft Policy 33 - Access for All

Draft Policy 37 - General Design of Development
Draft Policy 44 - Development Adjacent to a Conservation Area
Draft Policy 73 - Development and Trees
Draft Policy 77 - Landscape Quality and Character
Draft Policy 113 - Waste Management in New Development
Draft Policy 116 - Sustainable Urban Drainage Systems (SUDS)
Draft Policy 123 - Sustainable Design and Construction

Planning History

Planning permission was granted at appeal under ref. 13/01321 for demolition of existing dwelling and erection of three 5 bedroom two storey detached dwellings with accommodation in roof space and associated landscaping and parking arrangements.

The development is currently nearing completion.

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. The impact on highway safety is also a consideration.

Permission was granted under ref: 13/01321 for the demolition of existing dwelling and erection of three 5 bedroom two storey detached dwellings with accommodation in roof space and associated landscaping and parking arrangements.

Following a recent visit to the site, there are no aspects of the completed development that are considered to be harmful to the character of the area or the amenities of neighbouring properties. Subject to the submission of the required details to the Council, it is considered that the variation of these conditions accordingly would not be objected to. The Council's Highways Officer has confirmed that adequate drainage measures have been implemented for the block paving and their appearance is considered to complement the character of the area. The retaining wall and fence to the northern boundary presents a 1.8m tall boundary fence to No. 5, which is sited on higher ground. The fencing would not, therefore, impact on the amenities of this neighbouring house.

As the proposed variation of conditions does not alter the bulk, scale design or access arrangements from the permitted scheme, it is considered that the development in the manner proposed is acceptable in that it would not result in a significant loss of amenity to local residents nor impact detrimentally on the setting of the host dwelling or the character of the area. The variation of the conditions gives the Council the same control over the required details, and these can be approved post-development as and where necessary. It is therefore recommended that Members approve the proposal.

Background papers referred to during production of this report comprise all correspondence on the file refs. 13/01321/FULL1 and 17/01196/RECON set out in the Planning History section above, excluding exempt information.

RECOMMENDATION: APPROVAL

subject to the following conditions:

- 1 The development hereby permitted shall be carried out in accordance with approved plan SA/533/MATS Rev A.**

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.

- 2 The hard and soft landscaping details hereby permitted shall be competed in complete accordance with the approved details and permanently maintained as such thereafter unless otherwise agreed in writing by the Local Planning Authority. The approved scheme shall be carried out in the first planting and seeding seasons following the first occupation of the buildings or the completion of the development, whichever is the sooner. Any trees or plants which, within a period of 5 years from the 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.**

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

- 3 In this condition "retained tree" means an existing tree which is to be retained in accordance with the approved plans and particulars and paragraphs (i) and (ii) below shall have effect until the expiration of 1 year from the date of the first occupation of the buildings. This time limit does not apply to those trees which are otherwise protected by a Tree Preservation Order. No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the local planning authority. Any topping or lopping approved shall be carried out in accordance with British Standard 3998 (Tree Work).**

i) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the local planning authority.

ii) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and

particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written approval of the local planning authority.

Reason: In order to comply with Policy NE7 of the Unitary Development Plan and to ensure that all existing trees to be retained are adequately protected.

- 4 The boundary treatment hereby permitted shall be permanently maintained in complete accordance with the approved plans 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 visual amenity and the amenities of adjacent properties.

- 5 The approved surface water drainage system, which prevents the discharge of surface water from the site onto the highway, shall be permanently maintained at the site unless otherwise agreed in writing by the local planning authority.

Reason: In order to comply with Policy 5.13 of the London Plan and to ensure the adequate drainage of the site.

- 6 The garages, parking areas and turning space at the site shall be permanently retained at the site in complete accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority. No development whether or not permitted by the Town and Country Planning (General Permitted Development) Order 1995 (or any Order amending, revoking and re-enacting that order) shall be carried out on the land or garages indicated or in such a position as to preclude vehicular access to them.

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 inconvenience to other road users and would be detrimental to amenities and prejudicial to road safety.

- 7 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking, re-enacting or modifying that Order), no windows other than those expressly authorised by this permission shall be constructed on the north side elevation of the dwelling hereby permitted on Plot 3 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 to protect the amenities of neighbouring residential properties.