

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

Application No : 17/04866/FULL6

Ward:
**Bromley Common And
Keston**

Address : 192 Southborough Lane Bromley
BR2 8AH

OS Grid Ref: E: 542515 N: 167589

Applicant : Dr S Gupta

Objections : NO

Description of Development:

Installation of nighttime security gate at front boundary wall

Key designations:

Biggin Hill Safeguarding Area
London City Airport Safeguarding
Smoke Control SCA 12
Smoke Control SCA 19
Smoke Control SCA 13

Proposal

Planning permission is sought for a metal gate with open railings to a maximum height of 1.8m. The proposed metal railings would be painted black. The Agent has also confirmed that the gate could be controlled from 150m away with a remote control. The description on the application form states that the gate would be used at nighttime only.

Location and Key Constraints

The property is located on the southern side of Southborough Lane, close to the junction with Austin Avenue to the west and The Chequers Public House to the north east.

Comments from Local Residents and Groups

Nearby owners/occupiers were notified of the application and no representations were received.

Comments from Consultees

Highways: No objections raised in principle subject to suggested condition

Policy Context

Section 70(2) of the Town and Country Planning Act 1990 (as amended) sets out that in considering and determining applications for planning permission the local planning authority must have regard to:-

- (a) the provisions of the development plan, so far as material to the application,
- (b) any local finance considerations, so far as material to the application, and
- (c) any other material considerations.

Section 38 (6) of the Planning and Compulsory Purchase Act (2004) makes it clear that any determination under the planning acts must be made in accordance with the development plan unless material considerations indicate otherwise.

According to paragraph 216 of the NPPF decision takers can also give weight to relevant policies in emerging plans according to:

- o The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- o The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- o The degree of consistency of the relevant policies in the emerging plan to the policies

The Council is preparing a Local Plan. The submission of the Draft Local Plan was subject to an Examination In Public which commenced on 4th December 2017 and the Inspector's report is awaited. These documents are a material consideration. The weight attached to the draft policies increases as the Local Plan process advances.

The development plan for Bromley comprises the Bromley UDP (July 2006), the London Plan (March 2016) and the Emerging Local Plan (2016). The NPPF does not change the legal status of the development plan.

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

London Plan Policies

7.4 Local character

Unitary Development Plan

T18 Road safety

BE1 Design of new development

BE7 Railings, boundary walls and other means of enclosure

Draft Local Plan

8 Side Space

37 General Design of Development

Supplementary Planning Guidance

SPG1 - General Design Principles

SPG2 - Residential Design Guidance

Planning History

The relevant planning history relating to the application site is summarised as follows

- 06/01084/FULL1- Planning permission refused for Demolition of existing dwelling and the construction of three storey block comprising 6 two bedroom flats with forecourt car parking bin store and bicycle rack
- 07/04032/FULL1- Planning permission refused but later allowed on appeal for the Demolition of existing dwelling and erection of 6 bedroom detached house with integral garage
- 08/01901/FULL1- Planning permission granted for the Demolition of existing dwelling and erection of detached 2 storey 4 bedroom house
- 11/03546/EXTEND Extension of time granted for implementation of permission reference 07/04032 granted for Demolition of existing dwelling and erection of 6 bedroom detached house with integral garage.

Considerations

The main issues to be considered in respect of this application are:

- Design
- Highways
- CIL

Design

Design is a key consideration in the planning process. Good design is an important aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. The NPPF states that it is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes.

London Plan and UDP policies further reinforce the principles of the NPPF setting out a clear rationale for high quality design.

The application seeks to introduce a gate comprising of black metal railings to the existing boundary wall at the property. The proposed gate would have a maximum height of 1.8m and Members may consider its appearance to be in-keeping with the existing boundary enclosure at the site. Due to its open design views into the site would remain in accordance with Policy BE7.

Having regard to the scale, siting and proposed materials of the gate it is considered that the proposed gate would complement the host property and would not appear out of character with surrounding development or the area generally.

Highways

The NPPF recognises that transport policies have an important role to play in facilitating sustainable development but also in contributing to wider sustainability and health objectives. The NPPF clearly states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

London Plan and UDP Policies encourage sustainable transport modes whilst recognising the need for appropriate parking provision. Car parking standards within the London Plan, UDP and emerging draft Local Plan should be used as a basis for assessment.

Following initial concerns raised by the Council's Highways officer, the Agent provided further details regarding the operation of the proposed gate who confirmed that the gate would be remote operated. No objections have been raised by the Council's Highways officer subject to the suggested condition in this report.

CIL

The Mayor of London's CIL is a material consideration. CIL is not payable on this application.

Conclusion

On balance, Members may consider that having had regard to the above, the proposed gate in the manner proposed is acceptable in that it would not result in a significant impact to highway safety nor impact detrimentally on the character of the area.

Background papers referred to during production of this report comprise all correspondence on the files set out in the Planning History section above, excluding exempt information.

as amended by documents received on 07.12.2017 11.01.2018

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 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.

3 The development hereby permitted shall be completed in accordance with the approved details including the information supplied to the Council on 7th December 2017 and thereafter shall be permanently operated in the approved manner.

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