

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

Application No : 18/01891/FULL1

Ward:
**Chelsfield And Pratts
Bottom**

Address : 199 Worlds End Lane, Orpington
BR6 6AT

OS Grid Ref: E: 546894 N: 163226

Applicant : Mr & Mrs Terry Henrickson

Objections : NO

Description of Development:

Demolition of existing dwelling and erection of a detached two storey 6 bedroom dwelling with accommodation in roof space to substitute granted scheme DC/16/04691/FULL6

Key designations:

Biggin Hill Safeguarding Area
Green Belt
London City Airport Safeguarding
Open Space Deficiency
Sites of Interest for Nat. Conservation

Proposal

Permission is sought for the demolition of the existing dwelling and erection of a two storey six bedroom detached dwelling with habitable accommodation in the loft space.

The footprint of the proposed dwelling will match the footprint of the previously approved scheme (16/04691/FULL6).

Location and Key Constraints

The application site is located on the southern side of Worlds End Lane and hosts a large two storey detached dwellinghouse. The site is directly adjacent to a public footpath, located to the east of the site. The rear garden falls within the Green Belt, a Site of Importance for Nature Conservation (SINC) and is covered by a blanket Tree Preservation Order.

Comments from Local Residents and Groups

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

Comments from Consultees

Drainage Engineer:

- There is no public surface water sewer near the site so the applicant is required to make his own arrangement as how to dispose of surface water run-off
- Please impose D02 and D06

Highways:

- There is no alteration to the access.
- The site has a large frontage and there is currently parking for a number of cars.
- The Design and Access statement indicates that the parking and turning area will remain.
- Please include the following conditions in any permission - H16 (hardstanding for wash down facilities) and H27 (arrangements for construction period)

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:

- The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- 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
- The degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF, the greater the weight that may be given).

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

3.5 Quality and design of housing developments
7.4 Local character
7.6 Architecture
7.16 Green Belt
7.21 Trees and Woodlands

Unitary Development Plan

H9 Side space
T3 Parking
BE1 Design of new development
G6 Land Adjoining Green Belt or Metropolitan Open Land
NE7 Development and Trees

Draft Local Plan

8 Side Space
30 Parking
37 General Design of Development
53 Land Adjoining Green Belt or Metropolitan Open Land
73 Development and Trees

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:

- 88/00844/FUL - Two storey side extension - Permitted 14.04.1988
- 95/00924/FUL - Single storey rear extension - Permitted 07.06.1995
- 98/03234/FUL - Conversion of integral garage into habitable room, detached double garage - Permitted 13.01.1999
- 14/03061/FULL6 - Rear and side boundary fence - Permitted 22.09.2014
- 16/04691/FULL6 - Two storey rear and front extensions, roof alterations to provide habitable accommodation incorporating rooflights and elevational alterations - Permitted 20.12.2016

Considerations

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

- Resubmission
- Design

- Standard of residential accommodation
- Highways
- Neighbouring amenity

Resubmission

The site has been subject to a previous permission under planning ref. 16/04691/FULL6 for a "two storey rear and front extensions, roof alterations to provide habitable accommodation incorporating rooflights and elevational alterations".

This current application seeks permission for the demolition of the existing dwelling and the erection of a replacement two storey six bedroom detached dwelling with habitable accommodation in the loft space, to match the footprint of the previous permission. This application also includes an increase in ridge height to provide habitable accommodation in the roof space.

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.

The NPPF requires Local Planning Authorities to undertake a design critique of planning proposals to ensure that developments would function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development. Proposals must establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit; optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses and support local facilities and transport networks. Developments are required to respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation. New development must create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion; and are visually attractive as a result of good architecture and appropriate landscaping.

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

Policy H9 of the Unitary Development Plan (UDP) states that for a proposal of two or more storeys in height, a minimum 1 metre space from the side boundary of the site is normally required for the full height and length of the flank wall of the building. The proposal will provide 4.696m to the western flank boundary line however the eastern flank will be located on the boundary line therefore the proposal does not comply with Policy H9 of the UDP. The site is directly adjacent to a public footpath, located to the east of the site which is approximately 4m wide

and the proposed eastern flank wall will match the existing property line. In this instance, it is therefore considered that the proposed dwelling will not result in a cramped form of development on the site, and would not have a detrimental impact on the character and spatial standards of the surrounding area.

The proposed dwelling will include a central gable feature that projects forward, supported by two pillars, and will be flanked by hipped roofs to the side. The footprint of the proposed dwelling will match that permitted under planning ref. 16/04691/FULL6. The proposal includes increase the height of the ridge by 0.35m and height of the flank hip roofs by 0.9m, compared to the approved scheme. The property is set back 33m from the road and benefits from screening along the front and flank boundaries. The design of the property will remain similar to the approved scheme. Whilst the roof will be higher than the existing and the approved schemes, overall it would not appear unduly bulky within the street scene.

In terms of its impact on the adjacent Green Belt, the dwelling would project 5m further to the rear than the existing property, but this is not considered to adversely affect the openness or rural nature of the Green Belt, as the boundary lies a further 15m away to the rear.

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

Standard of residential accommodation

Policy H7 of the UDP sets out the requirements for new residential development to ensure a good standard of amenity. The Mayor's Housing SPG sets out guidance in respect of the standard required for all new residential accommodation to supplement London Plan policies. The standards apply to new build, conversion and change of use proposals. Part 2 of the Housing SPG deals with the quality of residential accommodation setting out standards for dwelling size, room layouts and circulation space, storage facilities, floor to ceiling heights, outlook, daylight and sunlight, external amenity space (including refuse and cycle storage facilities) as well as core and access arrangements to reflect the Governments National Housing Standards.

The London Plan makes clear that ninety percent of new housing should meet Building Regulation requirement M4 (2) 'accessible and adaptable dwellings' and ten per cent of new housing should meet Building Regulation requirement M4 (3) 'wheelchair user dwellings', i.e. is designed to be wheelchair accessible, or easily adaptable for residents who are wheelchair users. The relevant category of Building Control Compliance should be secured by planning conditions.

Policy 3.5 of the London Plan and the Housing SPG (2016) Standard 24 states the minimum internal floorspace required for residential units on the basis of the level of occupancy that could be reasonably expected within each unit should comply with Technical housing standards - nationally described housing standard (2015).

The proposed dwelling has a large GIA and all six bedrooms exceed the minimum requirements for double bedrooms. The shape, room size and layout of the rooms in the proposed dwelling are considered to be satisfactory. None of the rooms would have a particularly convoluted layout which would limit their use.

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.

The existing property is set back 33m from the road and currently benefits from a detached double garage located to the front of the property. The proposal will not alter the existing access, driveway or detached garage, therefore sufficient parking and turning space will remain on the frontage. As such, no objection was raised from the Council's Highways Officer.

Neighbouring amenity

Policy BE1 of the UDP seeks to protect existing residential occupiers from inappropriate development. Issues to consider are the impact of a development proposal upon neighbouring properties by way of overshadowing, loss of light, overbearing impact, overlooking, loss of privacy and general noise and disturbance.

The proposed dwelling will match the footprint of the approved application. With regards to the neighbouring property to the west, No.197, the proposed dwelling maintains 4.6m side space to the western boundary line. In addition this neighbouring property projects further to the rear than the application site. The flank elevation of No.197 is blank therefore the proposal is not considered to impact on the level of light or privacy to this neighbouring property. To the east, No.201 is separated by the public footpath which is approximately 4m wide. The current application will result in an increase in height, however given the separation to neighbouring properties and the hipped design of the flank roof projections, it is not considered to impact significantly on neighbouring amenity. Furthermore both boundary treatments currently consist of established trees and vegetation, it is therefore considered that the proposal will not result in a detrimental impact on either neighbouring property with regards to loss of light, outlook or visual amenity.

Having regard to the scale, siting, separation distance and existing boundary treatment of the development, it is not considered that a significant loss of amenity with particular regard to light, outlook, prospect and privacy would arise.

Sustainability

The NPPF requires Local Planning Authorities to adopt proactive strategies to mitigate and adapt to climate change. London Plan and Draft Local Plan Policies advocate the need for sustainable development. All new development should address climate change and reduce carbon emissions.

Policy 5.3 Sustainable Design and Construction of the London Plan states that the highest standards of sustainable design and construction should be achieved in London to improve the environmental performance of new developments and to adapt to the effects of climate change over their lifetime. Policy 5.2 Minimising Carbon Dioxide Emissions of the London Plan states that development should make the fullest contribution to minimising carbon dioxide emissions in accordance with the hierarchy; Be Lean: use less energy; Be clean: supply energy efficiently and Be green: use renewable energy.

CIL

The Mayor of London's CIL is a material consideration. CIL is payable on this application and the applicant has completed the relevant form.

Conclusion

Having had regard to the above 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 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.

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: To comply with Section 91, Town and Country Planning Act 1990.

- 2 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.

- 3** 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 UDP and in the interests of visual and residential amenity.

- 4** Before the development hereby permitted is first occupied the proposed first floor flank windows 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

- 5** 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.

- 6** 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.

- 7** Whilst the development hereby permitted is being carried out, provision shall be made to accommodate operatives and construction vehicles off-loading, parking and turning within the site in accordance with details to be submitted to and approved in writing by the Local Planning Authority and such provision shall remain available for such uses to the satisfaction of the Local Planning Authority throughout the course of development.

Reason: In the interests of pedestrian and vehicular safety and the amenities of the area and to accord with Policy T18 of the Unitary Development Plan.

- 8** 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 5.13 of the London Plan.

9 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 implementation of the sustainable drainage proposals and to accord with to London Plan policy 5.13

10 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.

11 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.

12 Details of a scheme of landscaping, which shall include use of native plant species where possible, details of all boundary treatment, 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. Furthermore all boundary treatments shall be maintained in perpetuity.

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

13

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 buildings, structures, alterations, walls or fences of any kind 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 the interests of protecting the character of the area and residential amenity of neighbouring properties in accordance with Policy BE1 of the UDP.