

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

Application No : 19/00110/FULL6

Ward:
Petts Wood And Knoll

Address : 82 Lynwood Grove Orpington BR6 0BH **Objections: No**

OS Grid Ref: E: 545416 N: 166778

Applicant : Mr & Mrs Jerald Solis

Description of Development:

Demolition of existing boundary wall and replacement with new boundary wall and access gate with the addition of new hard landscaping.

Key designations:

Smoke Control SCA 4

Update

This application was deferred without prejudice by Members of the Plans Sub Committee 1 held on the 9th May 2019, in order to seek highway safety comments with particular regard to visibility at the junction of Lynwood Grove/Melbourne Close and with regard to the bend in Lynwood Grove, and to obtain details relating to any planning history for boundary enclosures at the house opposite the site.

The Highways Officers have been consulted further and consider that there are no visibility issues with regards to the bend or the junction of Lynwood Grove / Melbourne Close for No 82 or drivers coming in and out of the Melbourne Close. They have stated that at most a road safety audit could be sought, however have not deemed it necessary to request this in this instance.

The house opposite the site on the eastern side of Lynwood Grove is No.85. It has been recently redeveloped following the approval of two planning applications as follows;

- 15/02647/FULL6 - Roof alterations to incorporate rear dormers and front rooflights, part one/ two storey rear extension, two storey side and two storey front extensions and steps to front - Permitted
- 17/02209/FULL6 - Single storey detached garage. RETROSPECTIVE. - Permitted

Whilst both of these applications have had planning permission granted, the plans do not appear to indicate any permission for the erection of any boundary enclosures.

The contents of the original report are repeated below.

Proposal

The application seeks permission for the demolition of the existing boundary and replacement with new boundary wall and access gate with the addition of new hard landscaping.

The boundary wall would measure approx. 10m in length along the front boundary of the site (including the sliding gate) and approx. 7.3m along the flank boundary of the site to adjoin the main dwelling and enclose the front garden area. It would have a height of 1.2m. Revised plans were submitted on the 17th April which included the retention of the existing vegetation and tree within the front garden, though a section of lawn would be replaced through an enlargement of the existing resin bound gravel drive.

The application also includes the replacement of the existing boundary fence which projects along the flank boundary of the site behind the dwelling. The proposed replacement wall would have a length of 15.7m, including the sliding gate that would provide access to the garage to the rear of the property. The wall would have a maximum height of 2.2m to match that of the existing fence.

Location and Key Constraints

The application site hosts a two storey detached dwelling located on the eastern side of Lynwood Road. The site is a corner plot, at the junction with Melbourne Close.

The site is located within The Knoll Area of Special Residential Character.

Comments from Local Residents and Groups

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

Comments from Consultees

Highways: No objection to the application.

Tree Officer: Although details of the tree to be removed have not been submitted, from what I can see it is fairly small. Being located on the front boundary with the main road its removal would have a small negative impact on the street scene. If you feel it is appropriate this could be mitigated by replacement planting of a suitable species somewhere on the front boundary set within the driveway, in order that the proposal make a positive contribution. (Revised plans were later submitted to retain the existing tree and vegetation to the front of the site).

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.

The National Planning Policy Framework was published on 24 July 2018 and updated on 19 February 2019.

The development plan for Bromley comprises the Bromley Local Plan (Jan 2019) and the London Plan (March 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
- 7.6 Architecture

Bromley Local Plan

- 6 Residential Extensions
- 30 Parking
- 37 General Design of Development
- 44 Areas of Special Residential Character
- 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;

- 91/01600/FUL - Single storey side extension - Permitted
- 02/03605/FULL1 - Two storey side extension and detached double garage - Refused
- 05/01455/FULL6 - Part one/two storey side and single storey rear extensions - Permitted
- 16/04276/FULL6 - Roof alterations to form habitable accommodation in the roofspace to include increase in ridge height, front gable features and front and rear rooflights, part one/two storey front extension, part one/two storey detached double garage and gym with games room above - Refused

- 17/03501/FULL6 - First floor and single storey rear extensions, alterations to porch and roof alterations to form additional habitable space including rooflights - Refused
- 18/03686/FULL6 - Single storey rear extension, loft conversion to form habitable accommodation within the existing roof space including a front gable window, addition of roof light and elevational alterations.- Permitted
- 18/04814/FULL6 - Demolition of existing garage and construction of new garage - Permitted
- 19/00916/FULL6 - Proposal for 2no. air conditioning external condensers, located in garden to side external wall. - Permitted

The site is also currently the subject of a further application which is currently pending consideration;

- 19/01306/FULL6 - First floor side extension - Pending Consideration

Considerations

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

- Design
- Highways
- Neighbouring amenity
- Trees
- 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 Bromley Local Plan policies further reinforce the principles of the NPPF setting out a clear rationale for high quality design.

The Bromley Local Plan outlines that properties within the Lynwood Grove section of The Knoll ASRC feature a mix of open plan or landscaped front gardens delimited by low boundary walls or hedges. Creative use is often made of planted boundary walls and hedges to delimitate side boundaries and front gardens, as well as of paving materials for driveways.

From visiting the site, it is noted that most properties feature low boundary walls and soft landscaping to their front which contributes to the character of the area as set out within the Bromley Local Plan. The dwelling opposite the application site however does feature a similar wall and railings of a greater height than others within the area. No planning permission appears to exist for this though this may have been constructed through permitted development rights.

Revised plans were submitted on the 17th April which removed the piers on the boundary wall and retained the existing vegetation and tree to the front of the site. The boundary wall would therefore have a maximum height of 1.2m, consisting of a render finish with metal railings above. Whilst this would be higher than most other boundary walls within the area it is not considered that this would appear excessive in its height. It is further noted that the height would not significantly exceed the 1m normally allowed through permitted development rights. In any case, the retention of vegetation would also lessen the impact of the proposed wall and metal railings and would soften its appearance somewhat when viewed in the street scene. A condition is recommended to ensure the soft landscaping is retained to the front. Subject to this, it is therefore considered on balance that the proposed front boundary wall would not result in any significant harm to the appearance of the host dwelling or the character of the ASRC.

With regards to the proposed flank boundary wall to the rear of the dwelling, this would replace an existing fence of a similar height. It is therefore not considered that it would result in any significant additional harm upon the visual amenities of the street scene or the ASRC.

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 transport issues should be considered from the earliest stage of both plan making and when formulating development proposals and development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

The NPPF states that all developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed.

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

The proposal would include the removal of a section of lawn and enlargement of the existing resin bound gravel drive to the front of the property to provide increased parking space. The front boundary wall would include a sliding gate to provide vehicular access to the front, and highways officers have raised no objections to the impact of this addition on highway safety. The flank wall would also include a sliding gate on Melbourne Close which would replace an existing gate that provides access to the rear garage, and this is not considered to have any additional impact on highways matters. As such, no concerns are raised from a highways point of view.

Neighbouring amenity

Policy 37 of the Bromley Local Plan 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 boundary wall would wrap around the front and southern flank of the site, and would be separated from neighbours by the highways of Melbourne Close and Lynwood Grove. It is considered that any impact on No.84 would be minimal given the modest height of the boundary wall, whilst the replacement wall to the flank boundary would not exceed the height of the existing fence and would not result in any additional impact on neighbouring properties to the rear.

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

CIL

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

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 ASRC.

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 17.04.2019
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 of the 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 37 of the Bromley Local Plan and in the interests of visual and residential amenity.

- 3 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 37 of the Bromley Local Plan and in the interest of the appearance of the building and the visual amenities of the area.

- 4 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 details as set out in this planning permission 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 30 of the Bromley Local 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.

- 5 (a) Surface water from private land shall not discharge on to the highway.**
- (b) Prior to the commencement of above ground works 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.**
- (c) Before any part of the development hereby permitted is first occupied, the drainage system shall be completed in accordance with the details approved under Part (b) and shall be retained permanently thereafter.**

Reason: To ensure satisfactory implementation of the surface water drainage proposals can be secured before additional pressure is placed on existing arrangements and to accord with to London Plan Policy 5.13 Sustainable Drainage and Policies 115, 116 and 117 of the Bromley Local Plan