

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

Application No : 19/00699/FULL6

Ward:
Shortlands

Address : 17 Rutland Gate Bromley BR2 0TG

Objections: Yes

OS Grid Ref: E: 539999 N: 168155

Applicant : Mr Patel

Description of Development:

Widening of existing driveway and increased height of boundary walls to front and side garden (RETROSPECTIVE)

Key designations:

Biggin Hill Safeguarding Area
London City Airport Safeguarding
Open Space Deficiency
Smoke Control SCA 21
Smoke Control SCA 9

Proposal

The application seeks retrospective planning permission for the widening of the existing driveway and increased height of boundary walls to front and side garden.

The hardstanding to the existing driveway has been increased from 16sqm to 45sqm to provide 2 additional off-street parking spaces. The driveway also includes the addition of a soakaway to which surface water is directed to the front of the drive.

The boundary wall would have a height of 0.675m at its lowest point on Rutland Gate. The wall would wrap around the corner of the site and project along the boundary with Oakham Drive, where it would increase in height to a maximum of 2.175m.

Location and Key Constraints

The application site hosts a two storey semi-detached dwelling on the eastern side of Rutland Gate, at the junction with Oakham Drive.

Comments from Local Residents and Groups

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

Objections

- Understand the new wall could not be built more than 1m above the height of the existing wall.
- When it rains heavily the additional surface water runs onto the highway.
- The width of the soakaway should be increased.
- Does not appear to be any drainage in the new wall, resulting in large damp patches / white patches appearing on the wall.
- Some of the bricks already seemed to have worked loose.
- Concerns it will topple over / is unsafe, endangering people and property.
- No evidence retaining wall has been professionally designed to suit the specific requirements of the location or constructed in accordance with current standards.

(N.B. Concerns regarding structural stability are addressed in the structural concerns section of the main report).

Comments from Consultees

Highways Officer: I would have no objection to crossover widening or the wall as it is not obstructing the sightlines.

Tree Officer: I note the TPO from 1966 at the front of this property. The trees are no longer present. Therefore, no objection.

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

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;

- 17/05534/FULL1 - Single storey rear extension, and conversion of existing 4 bedroom semi-detached dwelling to provide 1x 2 bedroom 4 persons flat at ground floor and 1x 2 bedroom flat for 3 persons at first floor. - Refused

Considerations

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

- Design
- Highways
- Neighbouring amenity
- Structural Concerns
- 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 proposed boundary wall would have a modest height of 0.675m where it adjoins the vehicular access to the driveway fronting on to Rutland Gate. It would increase in height to a maximum of 2.175m as its projects along the flank boundary with Oakham Drive, though much of the wall would be lower than this height.

The wall is not considered excessive in its overall height, particularly given the land levels of the site are already higher than that on Oakham Drive. The proposed

brickwork would appear similar to the existing wall and the host dwelling and is considered in keeping with the general character of the area. It is therefore considered that it would not result in any serious harm to the character of the area and visual amenities of the street scene.

The proposed widening of the hardstanding to the front of the site is not considered to significantly impact upon the character and visual amenity of the area, and views of this would be limited somewhat by the proposed boundary wall when viewed from Oakham Drive.

Having regard to the form, scale, and proposed materials it is considered that the proposed development 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 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 proposed wall would not result in any adverse impact to the sightlines of vehicles manoeuvring on this section of Rutland Gate and a soakaway has been added to the front of the drive to mitigate the impact of additional surface water runoff from the increased area of hardstanding. Given this, Highways Officers have raised no objection to the proposal.

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 proposed wall is considered to be a sufficient distance away from any nearby residential properties to prevent any detrimental impact by way of loss of light or outlook.

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

Structural Concerns

It is noted that concerns have been raised regarding the structural integrity of the wall and that it could be a potential safety hazard. Whilst these concerns are noted, the structural side of the wall would fall outside of the planning considerations of this application.

The issue has been referred to Building Control who are aware of this matter.

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 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 shall be retained strictly in accordance with the application plans, drawings and documents hereby approved.**

Reason: To ensure that the development is retained in accordance with the approved documents, plans and drawings submitted with the application in the interest of the appearance of the building and the visual amenities of the area and in order to comply with Policy 37 of the Bromley Local Plan