

<b>Committee Date</b>	11.01.2024	
<b>Address</b>	150 Kingsway Petts Wood Orpington BR5 1PU	
<b>Application Number</b>	23/03919/FULL6	<b>Officer</b> - Robin Evans
<b>Ward</b>	Petts Wood and Knoll	
<b>Proposal</b>	Erection of brick piers and gates and fence around existing highway boundaries. (RETROSPECTIVE). (Amended description).	
<b>Applicant</b>	<b>Agent</b>	
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150 KINGSWAY PETTS WOOD ORPINGTON Bromley BR5 1PU United Kingdom		
<b>Reason for referral to committee</b>	Call-In	<b>Councillor call in</b> Yes – Cllr Onslow – character and appearance, landscaping and ASRC.

<b>RECOMMENDATION</b>	Application Permitted
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<p>KEY DESIGNATIONS</p> <p>Article 4 Direction Area of Special Residential Character Biggin Hill Safeguarding Area London City Airport Safeguarding Smoke Control SCA</p>
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<b>Representation summary</b>	Neighbour letters sent 21.11.2023 and 15.12.2023 (amended plans and description).
Total number of responses	1
Number in support	0
Number of objections	1

## 1.0 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- The proposal would not impact detrimentally on the character of the area
- The proposal does not result in a significant loss of amenity to local residents
- There would be no other adverse impacts.

## 2.0 LOCATION

- 2.1 The application site is No. 150 Kingsway Petts Wood, a detached two storey dwelling, located at the junction of Kingsway and Towncourt Crescent. According to site observations the application site boundary to Kingsway was formed of trees/hedge vegetation including laurel a single pedestrian gate set into the hedge in front of the dwelling and two sets of wrought iron gates offset to one side of the dwelling, including a pedestrian gate, and to the side of the dwellinghouse with a stretch of hedge in between and the highway boundary to Towncourt Crescent was formed of a low brick wall (less than 0.5m high) and trees/hedge vegetation including laurel. As set out in the planning history planning permission was granted to remove the hedge and to erect a railing in between the two sets of gates (22/02726/FULL6). Since then, the Applicant has erected a 1.8m high close boarded fence along the length of the highway boundary in Towncourt Crescent and around the corner into Kingsway and approximately 2m high brick wall/piers containing a 2m high pedestrian garage in part of the hedge in front of the dwellinghouse, to the side of the wrought iron vehicle gates. Highway boundaries nearby in Kingsway include some low walls and hedges and boundaries nearby in Towncourt Crescent include some lower brick walls and some higher brick walls and close boarded fences.
- 2.2 The site lies within the Petts Wood Area of Special Residential Character (ASRC). According to the Bromley Local Plan Appendix 10.6 the Petts Wood ASRC has an open, suburban and semi-rural feel, predicated by low boundaries and visible front gardens set back from the road as well as the width of the separation between the houses which is of a particularly high standard. This allows many of the trees and greenery which prevail throughout the area to be seen from the street. Large rear gardens also provide the area with a high level of amenity. The plot sizes, the alignment of the houses to the Garden Suburb principle underline the character, rhythm, symmetry and spatial standards of the ASRC.
- 2.3 The area is subject to an Article 4 Direction restricting the erection or construction of a gate, fence, wall or other means of enclosure, being development comprises within Class A of Part 2 of Schedule of the GPDO 1995 as amended.

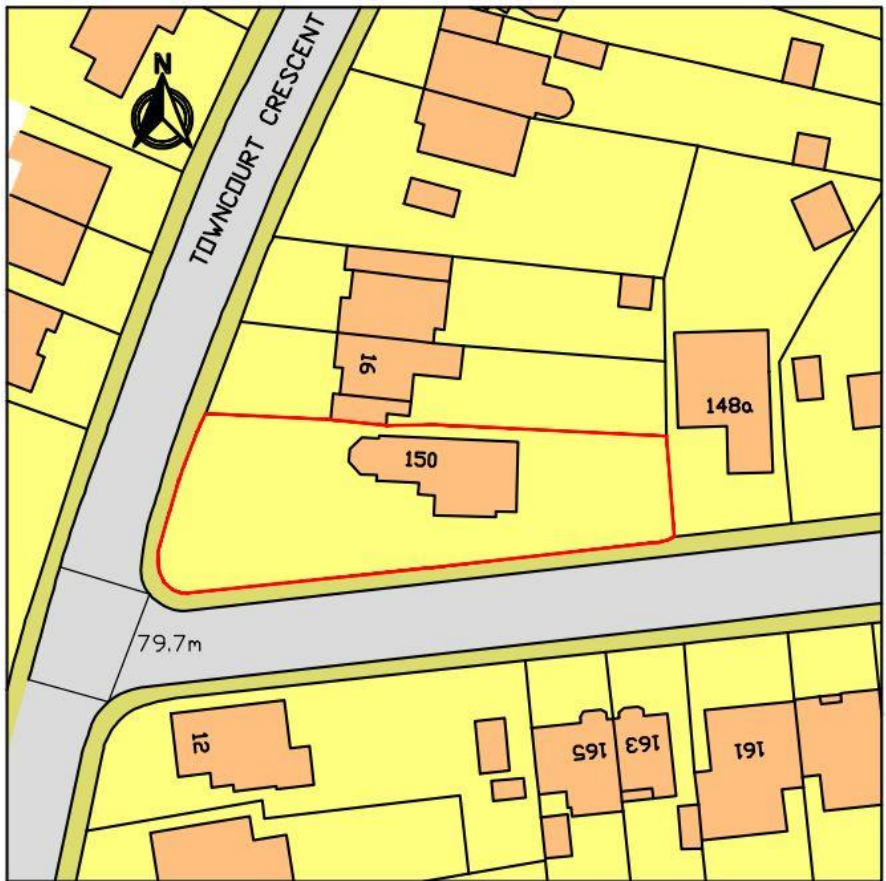


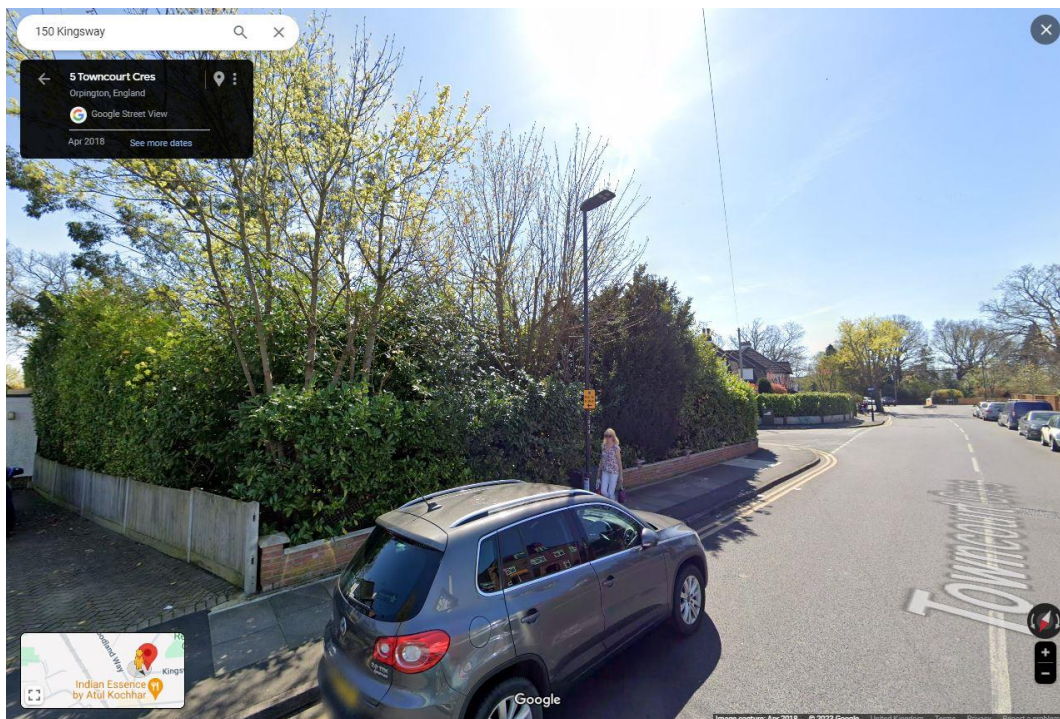
Fig 1 Site location plan.



Photograph 1. Previous 150 Kingsway boundary (circa April 2018).



Photograph 2. Previous 150 Kingsway/Towncourt Crescent boundary (circa April 2018).



Photograph 3. Previous Towncourt Crescent boundary (circa April 2018).

### 3.0 PROPOSAL

- 3.1 Planning permission is sought retrospectively for erection of brick piers and gates and fence around existing highway boundaries.

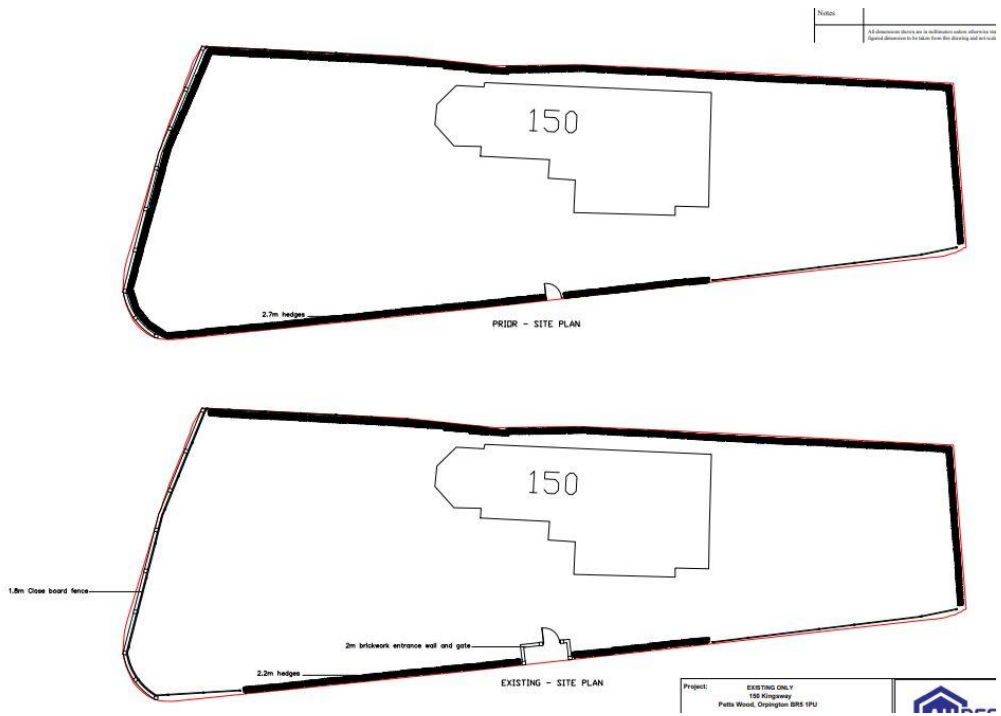


Fig 2. Previously existing and currently existing site layout.

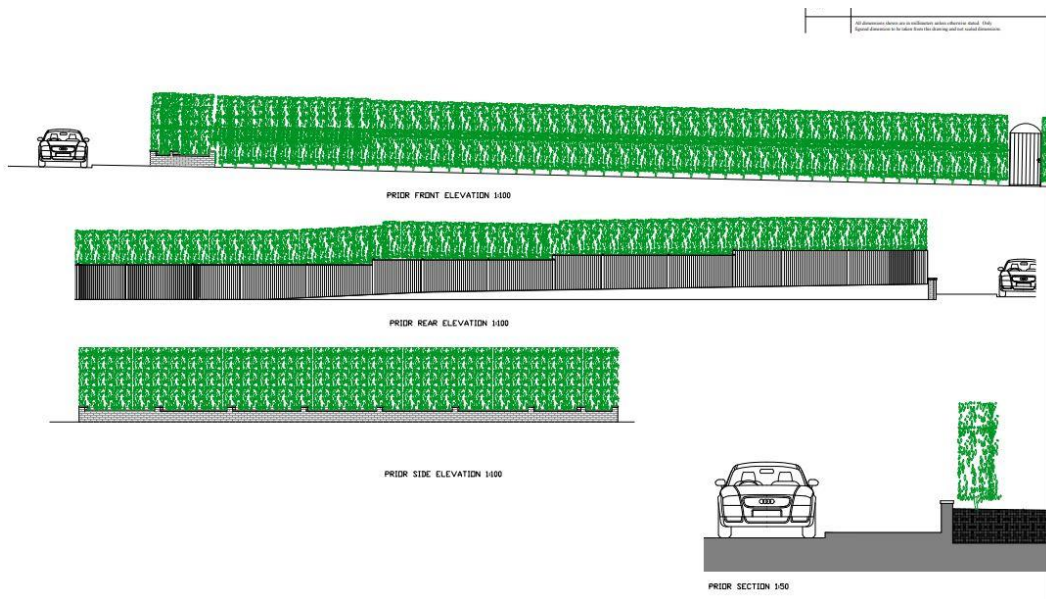


Fig 3. Previously existing elevations.

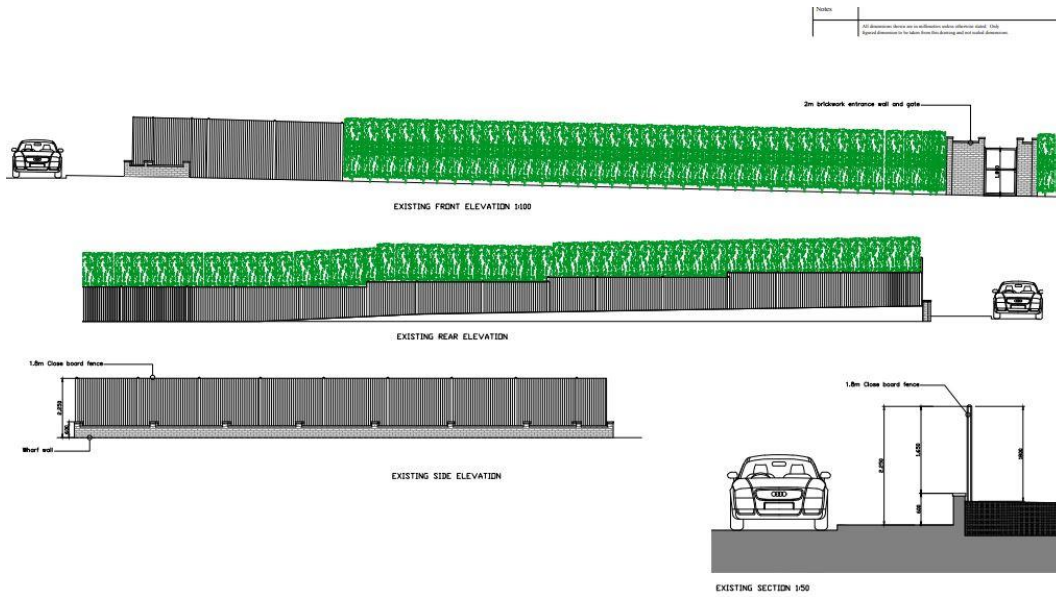


Fig 4. Currently existing elevations.



Photograph 4. From Kingsway looking northwest towards No. 150 and approved vehicular gates and railings (05/00321/FULL6 and 22/02726/FULL6).



Photograph 5. From Kingsway looking northeast towards No. 150 and proposed brick piers and pedestrian gate.



Photograph 6. From Towncourt Crescent looking northeast towards junction with Kingsway.



Photograph 7. From Towncourt Crescent looking east towards junction with Kingsway.



Photograph 8. From Towncourt Crescent looking south towards 150 Kingsway.

#### **4.0 RELEVANT PLANNING HISTORY**

There is extensive planning history mostly relating to house extensions and the most relevant to this proposal is summarised as follows:

- 4.1 05/00321/FULL6 – Installation of two sets of iron railing gates on Kingsway frontage was granted planning permission on 16.03.2005.
- 4.2 22/02726/FULL6 – Replacement of boundary treatment between two sets of existing iron railing gates and pedestrian gates (permitted under Ref. No. DC/05/00321/FULL6), consisting of 2m high iron railings was granted retrospective planning permission on 09.12.2022.
- 4.3 Other history
- 4.4 1 Towncourt Crescent  
12/03591/FULL6 – Boundary fence fronting Towncourt Road and Woodland Way (RETROSPECTIVE APPLICATION) was approved on 23.01.2013. The Council's report acknowledges that whilst noticeably higher than the former fencing, the current enclosure does not appear out of character with ASRC or have a harmful impact upon neighbouring residential amenities. The height is a continuation of the existing brick wall that serves the boundary closer to the property at the north of the garden whilst planting has been retained. The low fence to the apex of the junction has retained some small vegetation and serves to soften the impact of the fencing. As such it is considered that the fencing as erected is acceptable.

#### **5.0 CONSULTATION SUMMARY**

##### **A) Statutory**

- 5.1 Highway Department: The gates/pillars and fence should not obstruct the sightlines of drivers exiting Kingsway on to Towncourt Crescent and should therefore provide



appropriate visibility and this could be managed by planning condition. No objection in principle subject to recommended conditions.

## **B) Local Groups**

- 5.2 Petts Wood and District Resident's Association (PWDRA)  
Design and landscaping (addressed in Section 7.1)
- Application site lies within the Petts Wood Area of Special Residential Character (ASRC) and close to the Station Square Conservation Area,
  - Application site is on a prominent corner at the junction of Kingsway and Towncourt Crescent,
  - Loss of mature/established laurel hedge,
  - Fence erected in breach of planning control and Article 4 direction, without planning permission,
  - The 2.1m high boundary fence has a stark appearance and conflicts with the prevailing character boundary character in Petts Wood for low boundaries and visible front gardens within an open, suburban and semi-rural feel,
  - The constructed walls and gates at the main entrance are excessive in height and overly solid in construction and materials and have an urbanising appearance,
  - The front garden is no longer visible contrary to the ASRC,

## **C) Adjoining Occupiers**

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

## **6.0 POLICIES AND GUIDANCE**

### **6.1 National Policy Framework 2023**

### **6.2 NPPG**

### **6.3 The London Plan 2021**

- D1 London's form, character and capacity for growth
- D4 Delivering good design

### **6.4 Bromley Local Plan 2019**

- 37 General Design of Development
- 44 Areas of Special Residential Character
- 73 Development and Trees

### **6.5 Bromley Supplementary Guidance**

- Urban Design Supplementary Planning Document (Bromley, 2023)

## **7.0 ASSESSMENT**

### **7.1 Design and landscaping – Acceptable**

- 7.1.1 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.
- 7.1.2 NPPF paragraph 131 states that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.
- 7.1.3 NPPF paragraph 135 requires Local Planning Authorities to ensure that developments will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; are visually attractive as a result of good architecture, layout and appropriate and effective landscaping and are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities). New development shall also establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit; optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.
- 7.1.4 Policy 73 of the Bromley Local Plan states that proposals for new development will be required to take particular account of existing trees on the site and on adjoining land, which in the interests of visual amenity and/or wildlife habitat, are considered desirable to be retained.
- 7.1.5 Policy 77 of the Bromley Local Plan states that development proposals will seek to safeguard the quality and character of the local landscape and seek the appropriate restoration and enhancement of the local landscape through the use of planning obligations and conditions.
- 7.1.6 London Plan and Bromley Local Plan policies further reinforce the principles of the NPPF setting out a clear rationale for high quality design.
- 7.1.7 Policy D3 of the London Plan relates to 'Optimising site capacity through the design-led approach' and states that all development must make the best use of land by following a design-led approach that optimises the capacity of sites. Form and layout should enhance local context by delivering buildings and spaces that positively respond to local distinctiveness through their layout, orientation, scale, appearance and shape. The quality and character shall respond to the existing character of a

place by identifying the special and valued features and characteristics that are unique to the locality and respect, enhance and utilise the heritage assets and architectural features that contribute towards the local character.

- 7.1.8 Policy D4 of the London Plan outlines the various methods of scrutiny that assessments of design should be based on depending on the level/amount of the development proposed for a site.
- 7.1.9 There is a range of boundary types and treatments in the immediate locality of the application site including mostly low walls and hedges. Some of the corner plots in particular include higher walls or close boarded fences such as at No. 1 and 12 Towncourt Crescent.
- 7.1.10 The in the Council's report for the previously approved extension to the railings (22/02726/FULL6) it was noted that the railings would match the height and the appearance of the existing gates and that despite the 2m height their open design would continue to allow views through to the front of the property, maintaining a sense of openness and visibility to the front of the property. The constructed fence runs along the Towncourt Crescent boundary and around the corner into Kingsway and it consequently is visible from viewpoints along this boundary and in this corner position. It is noted that the laurel hedge around this boundary is also solid and tall measuring at least 2m-2.5m in places and it does not allow views through and into the property although the property can be viewed above the top of the hedge particularly from within Kingsway. Although the fence has a more solid construction than the hedge and also does not allow views in or through, this is similar to the function of the hedge. Furthermore, the existing hedge is retained above the fence, and this softens its appearance. Although a hedge cannot be protected by Tree Preservation Order the retention of the hedge could be sought through landscaping scheme secured by planning condition. The fence could also be painted or stained as in the case of No. 12 Towncourt Crescent to further soften its appearance in the street scene. There are some other higher fences in the close vicinity also at corner plots and were assessed on their merits and considered to be acceptable in those situations.
- 7.1.11 As such although higher fences are not a prevailing feature in the wider area they are more common at corner plots and in this particular case the extent of the fence is not excessive and is softened by the hedge/vegetation and its external finish could be treated. It is also the case that the area to the west of the dwelling functions as a private garden area, where it is a reasonable expectation to have a higher form of enclosure for privacy.
- 7.1.12 The constructed brick walls/piers are perpendicular to the highway which reduces their prominence and they are not excessive in width or height. The pedestrian gate that they support is in the same position as the former wrought iron gate in this location and again is not excessive.
- 7.1.13 Overall, the development does not detract from the character and appearance of the site and its setting within the Area of Special Residential Character.

## **7.2 Neighbouring amenity – Acceptable**

7.2.1 Policies 4, 6 and 37 of the Bromley Local Plan seek 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.

7.2.2 Although the constructed boundary treatments are visible from some of the nearest neighbouring properties they are sufficiently well separated from them combined with their general scale and height that they do not have a significantly harmful effect on their outlook or natural day/sunlight.

### **7.3 Highways – Acceptable**

7.3.1 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.

7.3.2 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.

7.3.3 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.

7.3.4 The piers/gates and fence does not project beyond the existing boundary envelope, however the Council's Highway Department requests confirmation that the development would not obstruct the sightlines of drivers exiting Kingsway on to Towncourt Crescent and should therefore provide appropriate visibility and this could be managed by planning condition. There is no objection in principle subject to recommended conditions.

## **8.0 CONCLUSION**

8.1 Having regard to the above it is considered that the development in the manner proposed is acceptable in that it would not impact detrimentally on the character of the area, it does not result in a significant loss of amenity to local residents nor other adverse impacts. Although the enclosure is higher than boundary enclosures generally found elsewhere in the ASRC, this is a corner property which has for some time been characterised by a substantial hedge, which albeit of softer visual impact than the fence for which permission is now sought resulted in a similar sense of enclosure in the street scene. Overall, it is not considered that the fence would in this particular case result in an unacceptable impact on the character and appearance of the ASRC, over and above the existing situation.

8.2 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:** Application Permitted

Subject to conditions:

Compliance with the approved details

Submission of materials (finish of fence)

Submission of landscaping scheme (retention of hedge and/or replanting)

Submission of highway visibility splays

Any other planning condition(s) considered necessary by the Assistant Director of Planning.