

**SECTION '3' – Applications recommended for PERMISSION, APPROVAL or CONSENT**

**Application No : 10/03661/VAR**

**Ward:  
Shortlands**

**Address : 15 Durham Avenue Shortlands Bromley  
BR2 0QE**

**OS Grid Ref: E: 539666 N: 168297**

**Applicant : Skillcrown Homes Ltd**

**Objections : YES**

**Description of Development:**

Variation of condition 2 and 7 of planning permission 09/00835 to provide permanent enclosure at front of units for drainage controls.

Key designations:

Conservation Area: Durham Avenue

**Proposal**

Under ref. 09/00835, planning permission was granted for two storey four bedroom detached house and two storey five bedroom detached house with integral garages, bin store and associated hard/soft landscaping at land adjoining 4 Lancaster Close and rear of 15 Durham Avenue. This development is now completed.

This application seeks approval for the variation of Conditions 4 and 7 of the above permission, which relate to landscaping and drainage, in order to retain a brick built cabinet located to the front of the site. The details of this structure are as follows:

- 1.7m high, 1.29m wide and 0.65m deep
- constructed from yellow stock brickwork, white PVCu fascia and felt roofing
- sited adjacent to driveway and site boundary with No. 5 Lancaster Close, approx. 6m from back edge of footway
- used to house drainage controls in connection with private sewerage infrastructure in the site

**Location**

The application site is located at the end of the cul-de-sac in Lancaster Close, between Nos. 4 and 5, comprising two detached dwellings which were completed in 2010. The site had formerly been part of the rear garden to No. 15 Durham

Avenue and as such falls within the Durham Avenue Conservation Area, although the remainder of Lancaster Close does not. The immediate surrounding area comprises large detached dwellings to the north (fronting Durham Avenue), with Lancaster Close comprising a 1960s backland development of detached houses with open frontages, adjoining the Conservation Area.

### **Comments from Local Residents**

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

- application fails to detail the steps which the developer and the Council must take to ensure that the landscape plan is completed in full
- the application does not set out what is actually contained within the enclosure described
- Skillcrown (developer) had previously advised that the enclosure contained electrical controls and would be removed
- drainage issues are already of concern
- information submitted by applicant is insufficient to enable a proper decision to be made – points failed to address include:
- why the applicant has previously represented that the enclosure includes electrical controls which would be removed rather than drainage controls which are now permanent
- why the enclosure needs to be sited adjacent to No. 5 affecting this property
- the exact nature of the controls in the enclosure
- why the controls need to be publicly accessible rather than behind the fences of the properties away from public view
- why the drainage controls have not previously been set out in the plans approved and why these details are not the subject of this application
- objectors to the application will be at a disadvantage if this information is not clarified

### **Comments from Consultees**

Comments received from Highways Drainage, Highways and Thames Water indicates no objection to the proposal.

### **Planning Considerations**

The application falls to be determined in accordance with the following Policies of the Unitary Development Plan and the London Plan:

BE1 Design of New Development  
BE11 Conservation Areas

Regarding trees, no objections have been raised.

From the Conservation point of view, no objections are raised.

## **Planning History**

Under ref. 85/01274, planning permission was granted at appeal for the erection of 1 detached two storey dwelling and detached garage. Under ref. 06/04191, planning permission was allowed at appeal for a two storey three bedroom detached house and a two storey four bedroom detached house with integral garages at land adjoining 4 Lancaster Close and rear of 15 Durham Avenue.

Most recently, planning permission was granted under ref. 09/00835 for two storey four bedroom detached house and two storey five bedroom detached house with integral garages, bin store and associated hard/soft landscaping at land adjoining 4 Lancaster Close and rear of 15 Durham Avenue. This application was similar in principle to that allowed under ref. 06/04191 but sought approval for various alterations. This development has now been completed.

## **Conclusions**

The main issues for Members to consider in this case will be the impact of the retention of the brick built cabinet (that this variation of condition application effectively seeks to retain permanently) to the character and appearance of the area, with particular regard to the Conservation Area designation, and the impact to the amenities of neighbouring residents. The details of the landscaping scheme and drainage (as required by Conditions 2 and 7) have previously been agreed by the Council. This application does not seek to alter any of the details previously approved and is primarily concerned with the retention of the cabinet in question.

While the cabinet is located to the front of the dwellings, it is not highly visible within the street scene being positioned behind an existing tree and screening by existing vegetation to a degree. The cabinet is of a relatively modest size, and is not visible from the nearest property at No. 5 in view of the existing garage to this property which would serve to obscure the cabinet from view.

Members will note that the cabinet has been retained on the site in order to house drainage controls (in connection with the private sewerage infrastructure in the site) and as such the Applicant's agent has indicated that it needs to be publicly accessible, presumably for maintenance purposes.

While concerns have been raised about the lack of technical detail provided as to the purpose of the drainage controls contained within the cabinet and how they relate to the details previously agreed, it is not a question of assessing the need for the cabinet, but the acceptability of its retention in light of the impact to the character of the area and the amenities of neighbouring residents. In any case Members will note that the drainage/sewerage infrastructure has already been completed at the site and the development occupied, and approval is not sought to alter any of the details previously agreed but to update the approved detail.

On balance, it is not considered that the retention of the brick built cabinet would unacceptably harm the character of the area or the amenities of neighbouring residents, and that the character and appearance of the Conservation Area would be preserved. Members may agree therefore that the variation of Conditions 2 and

7 should be approved with the effect of allowing the permanent retention of the cabinet.

Background papers referred to during production of this report comprise all correspondence on files refs. 10/03661, 09/00835, 06/04191 and 85/01274, excluding exempt information.

**RECOMMENDATION: APPROVAL**

subject to the following conditions:

Reasons for granting approval:

In granting approval, the Local Planning Authority had regard to the following policies:

BE1 Design of New Development  
BE11 Conservation Areas

The development is considered to be satisfactory in relation to the following:

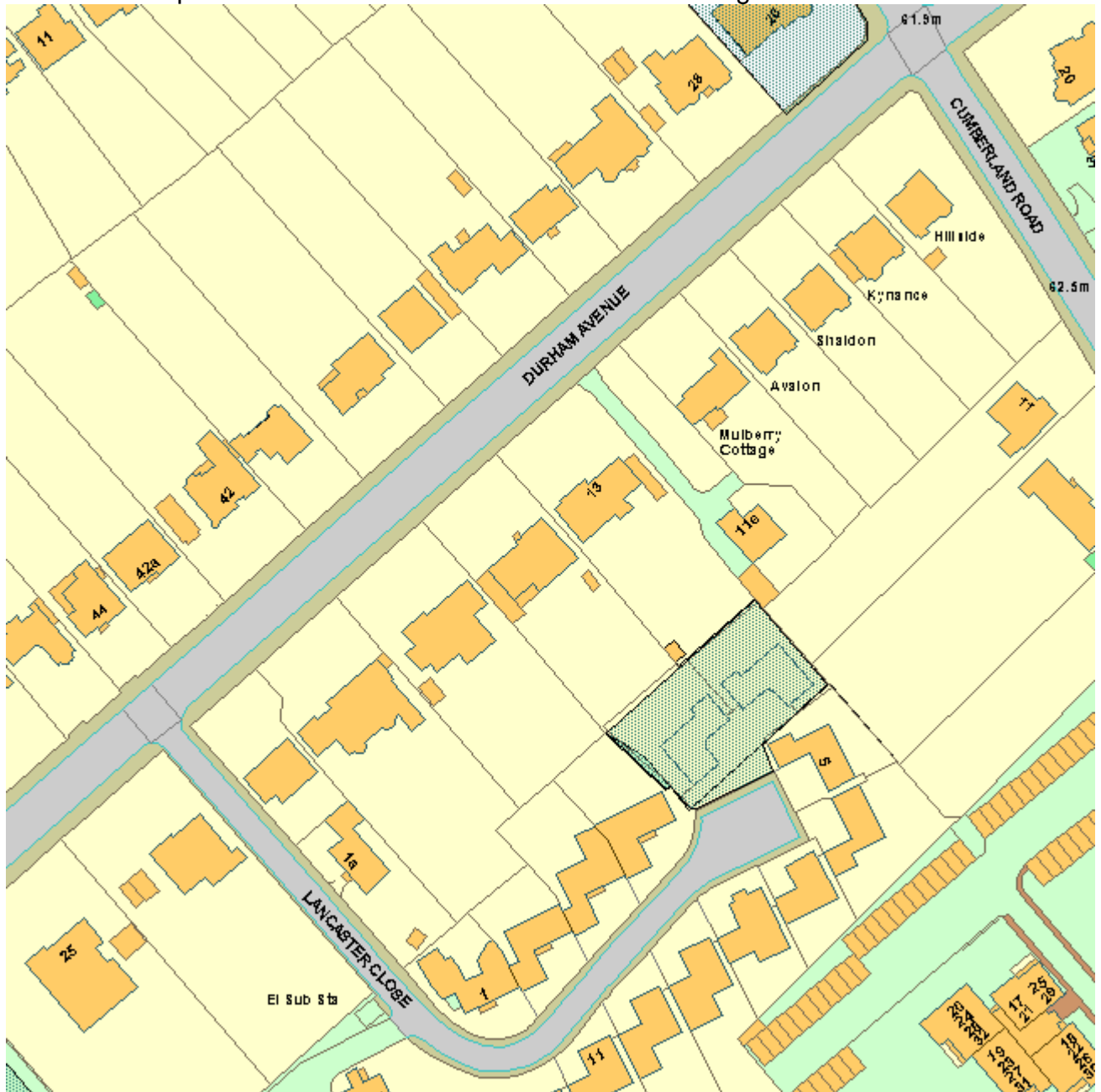
- (a) the appearance of the development in the street scene
- (b) the relationship of the development to adjacent properties
- (c) the character of the development in the surrounding area
- (d) the impact of the proposed development on the character and appearance of the Conservation Area
- (e) the impact on the amenities of the occupiers of adjacent and nearby properties

and having regard to all other matters raised.

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