

SECTION '2' – Applications meriting special consideration

**Application No :** 11/00426/FULL1

**Ward:**  
**Cray Valley East**

**Address :** Invicta Works Chalk Pit Avenue  
Orpington BR5 3JQ

**OS Grid Ref:** E: 547387 N: 168993

**Applicant :** Chatsworth Trustees

**Objections :** YES

**Description of Development:**

Demolition of existing garages and construction of a terrace of 4, two storey, 2 bedroom dwellings with associated parking on land adjacent to Invicta Works

Key designations:

Areas of Archaeological Significance

**Proposal**

This application seeks permission for the demolition of the existing garages and construction of a terrace of 4, two storey, 2 bedroom dwellings. The terrace would front Chalk Pit Avenue and each property will be provided with parking space to the front. An additional parking space is also proposed for general visitor parking which would result in a total of 5 spaces.

Each property would have its own rear garden, ranging from approx. 8.5m to approx. 10m in depth. A 1m side space will be retained between the end units and their respective boundary with the adjacent properties. One first floor obscure glazed flank window is proposed to each end unit. Principle windows to the kitchen, lounge and bedrooms will face front and back.

No accommodation is proposed in the roof space.

**Location**

The application site is an overgrown area of land comprising a dilapidated block of single storey garages on land adjacent to Invicta Works. The site also includes the access strip to the garages and approx. 3.5m deep of the rear amenity/yard areas. The area is characterised by a mix of residential buildings, with a terrace of shops to the west on Crays Parade.

## **Comments from Local Residents**

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

- overdevelopment
- inadequate garden sizes
- out of character

## **Comments from consultees**

No Thames Water objections are raised subject to an informative.

No technical drainage comments are made.

Waste Services has commented that access will be required to the rear of the neighbouring shops and flats above. The access pathway at the rear is 1.4m in width and this appears to be sufficient.

The Crime Prevention Officer has commented suggesting a Secure by Design condition be imposed on any permission.

No technical highways objections are raised. The comments made in respect to the previous application remain valid and conditions are suggested.

Environmental Heath comments will be reported verbally at the meeting.

## **Planning Considerations**

Policies relevant to the consideration of this application are BE1 (Design of New Development), H7 (Housing Density and Design), H9 (Side Space), T3 (Parking) and T18 (Road Safety) of the adopted Unitary Development Plan.

There are a number of other relevant policy documents that come under the general category of other 'material considerations'. These include:

The London Plan (Policies)

- 4B.1 Design principles for a compact city
- 4B.8 Respect local context and communities

PPS3 Housing (2010)

## **Planning History**

Planning permission was refused under ref. 10/01183 for the demolition of existing garages and construction of a terrace of 4, two storey, 2 bedroom dwellings with associated parking on land adjacent to Invicta Works. The refusal grounds were as follows:

The proposal would constitute a cramped overdevelopment of the site by reason of the number of units, amount of site coverage by building(s) and hard surfaces and would be out of character with the area contrary to Policies H7 and BE1 of the Unitary Development Plan.

The proposed development by reason of its size, height and siting, would result in a visually discordant feature in the street scene, out of scale and character with neighbouring development, detrimental to the amenities of the area, contrary to Policies H7 and BE1 in the Unitary Development Plan.

This application was subsequently dismissed on appeal. The Inspector states:

'The proposal would result in a density of 62 dwellings per hectare. The Council does not dispute that this density would accord with UDP Policy H7, which sets a target of 50 to 80 dwellings per hectare for terraced houses in locations along transport corridors and close to a town centre. This density would mean that the proposed dwellings would have uncharacteristically small rear gardens in the context of the surrounding area. In addition, the parking spaces to the front of the dwellings would emphasise the more intensive nature of the new development compared to the existing, more spacious and suburban local character. However, this intensiveness may well be an inevitable consequence of seeking to achieve UDP and London Plan density policies. I do not consider that the appeal proposal should fail for those reasons.

Of greater concern to me is the height and bulk of the proposed houses. The plans show the building being some 10 m high, with a substantial roof including a front gable. Although the roof would be hipped at each end to lessen its impact, as the site is already elevated above the shops and flats in Crays Parade, my judgement is that the building would dominate the street scene at the corner of Chalk Pit Lane and Main Road. Such a form of development would not respect the established character of the area, which is formed by more modest sized semi-detached houses, a bungalow opposite the site and others nearby, as well as by the terraces at Crays Parade and along Main Road. I have taken into account the possible relationship of the proposed houses with the more substantial but now derelict, former Invicta Works building next door. However, this provides an inadequate justification for the appeal scheme's height and very bulky roof.

I therefore conclude that the proposed houses would appear excessively bulky and thereby fail to respect the established character of the area.'

## **Conclusions**

The main issues relating to the application are the effect that it would have on the character of the area and the impact that it would have on the amenities of the occupants of surrounding residential properties. Highway safety is also a consideration.

The area is characterised by a mix of commercial and residential properties. With the exception of a flatted block on Main Road, the properties along Cray Parade and the houses opposite the site and further up Chalk Pit Avenue are generally two storey with shallow traditional hipped roofs. As such, it is not considered that the principle of residential dwellings would be inappropriate development for the area, and this view was shared by the Inspector.

The application site lies adjacent to a derelict industrial building and the rear of mix use properties in Main Road. The application site includes the encroachment of part of land to the rear of the properties at 7-10 Cray Parade reducing the back garden/yard areas from approx. 12.5m to 9m. Whilst a reasonable degree of separation would remain between the rear of these buildings and the flank wall of the terrace block, it is evident that the presence of the terrace block, particularly as it would be on higher ground level, given the topography of the road. The new houses would be clearly visible from these properties, however the Inspector did not consider this relationship to be unacceptable at appeal.

The provision of four terraced houses on this site with minimal rear garden areas ranging from between 8.5 – under 10m in depth, together with the extent of hardsurfacing to the front of the site for parking was also considered to be acceptable at appeal. A 1m side space will be provided to each flank boundary and this was not considered to be a cramped form of development, out of character within the area.

The Inspector's main concern was the bulk and height of the dwellings, which would be overly conspicuous from the lower land to the west due to the substantial roof, which included a front gable. The substantial roof has been reduced from 10m in height as previously proposed to 9.1m in height. The angle of the hipped roof has been reduced to allow this reduction in height. It is still proposed to include a front gable feature at the centre of the front elevation, however the reduction in the height and bulk of the dwellings is considered to be significant and this will result in the development appearing less conspicuous from the lower land to the west. The proportions of the resulting dwellings will also be improved by the reductions to the roof, as this will alleviate the sense of a top-heavy development that was previously proposed.

Having had regard to the above it is considered that the siting, size and design of the proposed dwellings is acceptable in that they would not result in a significant loss of amenity to local residents nor impact detrimentally on the character of the area. No impact on highway safety would result from the proposal. It is therefore recommended that Members grant planning permission.

Background papers referred to during production of this report comprise all correspondence on files refs. 10/01182 and 11/00426, excluding exempt information.

## **RECOMMENDATION: PERMISSION**

Subject to the following conditions:

1	ACA01	Commencement of development within 3 yrs
	ACA01R	A01 Reason 3 years
2	ACC01	Satisfactory materials (ext'nl surfaces)
	ACC01R	Reason C01
3	ACC03	Details of windows
	ACC03R	Reason C03
4	ACH03	Satisfactory parking - full application
	ACH03R	Reason H03
5	ACH04	Size of parking bays/garages
	ACH04R	Reason H04
6	ACH09	Restriction on height to front and flank
	ACH09R	Reason H09
7	ACH18	Refuse storage - no details submitted
	ACH18R	Reason H18
8	ACH32	Highway Drainage
	ADH32R	Reason H32
9	ACH32	Highway Drainage
	ADH32R	Reason H32
10	ACI02	Rest of "pd" Rights - Class A, B,C and E
	<b>Reason:</b> In order to prevent overdevelopment of the site.	
11	ACI12	Obscure glazing (1 insert) on the first floor flank elevations
	ACI12R	I12 reason (1 insert) BE1
12	ACI17	No additional windows (2 inserts) flank development
	ACI17R	I17 reason (1 insert) BE1
13	ACI21	Secured By Design
	ACI21R	I21 reason
14	ACK05	Slab levels - no details submitted
	ACK05R	K05 reason

### **Reasons for granting permission**

In granting planning permission the Local Planning Authority had regard to the following policies of the Unitary Development Plan:

BE1 Design of New Development  
H7 Housing Density and Design  
H9 Side Space  
T3 Parking  
T18 Road Safety

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

- (a) the impact on the character of the surrounding area
- (b) the impact on the amenities of the occupiers of adjacent and nearby properties, including light, prospect and privacy
- (c) the transport and highway safety policies of the development plan.

and having regard to all other matters raised.

INFORMATIVE(S)

1 RDI16 Contact Highways re. crossover

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