

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

Application No : 11/00862/FULL1

**Ward:
Bickley**

Address : 18 Mavelstone Close Bromley BR1 2PJ

OS Grid Ref: E: 542117 N: 169913

Applicant : Mr M Elliot

Objections : NO

Description of Development:

Partial demolition of existing bungalow and erection of a replacement 5 bedroom dwelling

Key designations:

Proposal

- The proposal is for the erection of a detached five bedroom dwelling following the demolition of the existing bungalow.
- The dwelling will have a total height of 8.6m, excluding the basement level garage, gym and utility room. The roof design will be hipped incorporating front, side and rear dormers.
- The roof height has been reduced from the previous applications from 9.6m to 9.2m and now to 8.6m in height
- The width was previously reduced to allow for greater separation to the oak tree at the front of the site.
- Vehicular access to the site would remain in the same location as the existing. Two parking bays would be provided in the double garage at lower ground floor level.
- A staircase from the lower ground floor level to ground floor level would provide access to the main dwelling which is similar to the current arrangement.
- The dwelling would be constructed with brickwork and vertical hanging tiles, plain clay roof tiles, painted softwood window treatments and timber doors. The vehicular access would be designed using a tarmac hard surface.
- A single storey orangery is proposed to the rear of the dwelling at ground floor from the breakfast/kitchen area.
- Two trees are proposed to be felled in the rear garden, with a few conifers to be removed at the front of the site. No trees will be felled along the flank of the site adjacent to the conservation area.

Location

- The property is located on the eastern side of Mavelstone Road and comprises of a bungalow with a lower ground floor level
- The property is located adjacent to the Mavelstone Road Conservation Area.

Comments from Local Residents

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

Comments from Consultees

No technical drainage comments have been made.

No Thames Water objections are raised subject to an informative.

No concerns are raised by the Tree Officer subject to standard conditions. The previous application took steps to protect the oak tree at the front of the site and the plans do not pose a risk to this tree.

No technical highways objections are raised subject to conditions.

Planning Considerations

The main policies relevant to this case are Policies BE1 (Design Of New Development), BE13 (Development Adjacent to a Conservation Area), H7 (Housing Density And Design), H9 (Side Space), T3 (Parking), T18 (Road Safety) and NE7 (Development and Trees).

Planning History

Planning permission was refused under ref. 10/01201 for the demolition of existing bungalow and erection of a replacement 5 bedroom dwelling. The refusal grounds were as follows:

The proposed dwelling would result in the loss of a mature Oak tree on the site which is protected by a Tree Preservation Order and contributes significantly to the visual amenities of the area and would therefore be contrary to Policies BE1, BE13 and NE7 of the Unitary Development Plan.

The proposed dwelling by reason of its size, design and siting would result in an overdevelopment of the site and would be harmful to the visual amenities of the area and the character and appearance of the adjacent Mavelstone Road Conservation Area, contrary to Policies BE1, BE13, H9 and H7 of the Unitary Development Plan.

Planning permission was refused under ref. 10/02977 for demolition of existing bungalow and erection of a replacement 5 bedroom dwelling. The refusal grounds were as follows:

The proposal would, by reason of its bulk, height and design constitute a prominent form of development harmful to the character of the locality and to the character and appearance of the adjacent Conservation Area, thereby contrary to Policies BE1, BE13 and H7 of the Unitary Development Plan.

The proposed development would result in the unacceptable loss of existing trees which contribute to the character of the locality and to the character and appearance of the adjacent Conservation Area, thereby contrary to Policies BE1, BE13, H7 and NE7 of the Unitary Development Plan.

It should be noted that this refusal included a reduction in bulk and height of the proposal along with the setting of the dwelling being no closer to the protected oak tree. Also, no trees were proposed to be felled along the flank boundary, with some to be removed in the rear garden area.

An appeal has been lodged in respect to this recent refusal.

Conclusions

The material planning considerations which are relevant to this application are as follows:

- design and the impact on character and appearance of the street scene;
- impact on trees;
- impact on the character and appearance of the adjacent Mavelstone Road Conservation Area;
- impact on the amenity of the neighbouring properties;
- amenity space;
- parking and highway safety; and
- drainage.

Mavelstone Close comprises of a variety of housing styles of single and two storey height. The proposal is for the erection of a two storey family dwelling with a lower ground floor level.

The proposed dwelling would be in keeping with the existing building line along Mavelstone Close. The plot slopes downwards from the adjacent property at No.17 and from the Mavelstone Road bank where there is already a lower ground floor level. Further excavation however is required to accommodate a larger lower ground floor level than the existing lower ground floor level for the bungalow. The proposed ridge height of the new dwelling would be approximately 1.3m higher than the existing bungalow ridge height (previously proposed to be 2.3m higher and 1.9m higher under past applications) and will in fact be shorter than the adjacent dwelling at No. 17 Mavelstone Close.

No trees are proposed to be removed from this area, with the only felling to occur to 2 trees in the rear garden and a few conifers at the front of the site.

The application seeks to retain the oak tree at the top of the bank which is situated within the application site. The oak tree is subject to a Tree Preservation Order and therefore is protected. The protection radius for an oak tree is identified as 5.8m which restricts the development in terms of how far it could project to the side boundary without affecting the trees roots. Following the submission of an arboricultural survey and site visit undertaken by the Tree Officer, no concerns are raised with respect to root damage from the excavation of the basement level. The current plans indicate the retention of the existing bungalow flank wall and therefore no significant excavation further towards this tree is expected to occur. Safeguarding conditions can be imposed to secure the protection and future health of this tree.

The application site is located on a prominent corner plot adjacent to the Mavelstone Road Conservation Area. Policy BE13 of the Council's UDP states that any development proposal adjacent to a conservation area will be expected to preserve or enhance its setting and not detract from the views into or out of the area. Where new development is proposed adjoining a conservation area, a sympathetic design is vital to maintain existing standards. In addition Policy H9 requires a generous side space in areas where spatial standards are high.

The Mavelstone Road Conservation Area is characterised by large houses which are densely screened with mature vegetation and are well setback from the main road, creating a semi-rural setting. The proposal would involve no felling or thinning out of vegetation along the bank adjacent to Mavelstone Road, with a small amount of felling and clearance of vegetation to the rear garden. The proposal would increase the overall bulk of development in comparison to the existing structure, however it should be noted that the roof height has been reduced by a further 0.6m from the previous refusal. With this, the angle of the roof slope has been reduced and this further reduces the bulk of the building. When comparing the proposed dwelling with others within the locality, it would be lower in height than No. 17.

Although the development proposed is consistent with the general style of development along Mavelstone Close the development also has a secondary frontage onto the Mavelstone Road Conservation Area and is located on a prominent corner site. However the bulk and height of the dwelling has been reduced from the previous refusals. This is considered to reduce the visual impact even further, and the trees at the rear and side of the site will be retained to provide dense screening. On balance it is considered that the proposal would preserve the setting of the adjacent conservation area and the retention of the trees would result in a development that would not detract from views either into or out of the conservation area. The settings of the nearby locally listed buildings would also not be harmed by the proposal due to the separation of the proposed dwelling from these structures.

The application site is located on a corner plot and therefore there are only two adjoining properties including No. 17 Mavelstone Close to the north and Manor

Place to the rear. The property at No. 17 Mavelstone Close comprises of a two storey detached family dwelling. A side space of 1 metre from the boundary fence would be maintained. The proposed new dwelling would be lower in height than the adjacent property at No. 17 (the previous application was the same height as No. 17). There are two windows proposed at first floor level and a dormer window proposed in the side roof slope which would face onto No. 17. The two windows at first floor level would serve a dressing area and wardrobe and could be conditioned to be obscurely glazed. The dormer window in the north roof slope would serve an entertainment area and could also be conditioned to be obscurely glazed. The rear wall of the proposed dwelling is in line with No. 17 aside from a single storey rear orangery that would be located on the southern end of the house, a suitable distance from No. 17 to avoid loss of amenity to this neighbour.

The property to the rear, Manor Place, is a locally listed building. The rear boundary between No. 18 Mavelstone Close and Manor Place is, like the flank boundary, well screened with vegetation and therefore it is unlikely that the proposed new dwelling would adversely affect the setting of this building. In addition, the plot slopes downwards from the rear to front boundary and the proposed dwelling would be situated approximately 20 metres from the boundary with Manor Place and 27m from the rear wall of development at Manor Place. It is not considered that the proposed development would result in any harm to the amenity of the neighbouring properties in terms inadequate daylight, sunlight, loss in privacy or overshadowing.

The application site is situated on a large corner plot. The proposed new dwelling would be larger in terms of its overall building footprint when considered against the existing building footprint however would still retain an ample rear amenity space for a family dwelling of this size. The amount of rear amenity space proposed is consistent with the general character of rear garden space on Mavelstone Close and this aspect has not been objected to during the consideration of previous applications.

On balance it is considered that the proposed dwelling will not impact on adjoining properties and the overall size, design and siting of the house would not be overly prominent on this corner plot. The proposal represents a further reduction in height and bulk from the previous refusal and the scheme would not adversely impact on the character and appearance of the adjoining Mavelstone Road Conservation Area. Finally, the protected tree and trees along the flank boundary would not be affected by the proposal. It is therefore recommended that the application is granted planning permission.

Background papers referred to during production of this report comprise all correspondence on files refs. 10/01201, 10/02977 and 11/00862, excluding exempt information.

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- | | | |
|----|-----------------|--|
| 1 | ACA01
ACA01R | Commencement of development within 3 yrs
A01 Reason 3 years |
| 2 | ACA04
ACA04R | Landscaping Scheme - full app no details
Reason A04 |
| 3 | ACB01
ACB01R | Trees to be retained during building op.
Reason B01 |
| 4 | ACB02
ACB02R | Trees - protective fencing
Reason B02 |
| 5 | ACB03
ACB03R | Trees - no bonfires
Reason B03 |
| 6 | ACB04
ACB04R | Trees - no trenches, pipelines or drains
Reason B04 |
| 7 | ACB12
ACB12R | Tree - details of excav. for foundations
Reason B12 |
| 8 | ACB18
ACB18R | Trees-Arboricultural Method Statement
Reason B18 |
| 9 | ACB19
ACB19R | Trees - App'ment of Arboricultural Super
Reason B19 |
| 10 | ACC07
ACC07R | Materials as set out in application
Reason C07 |
| 11 | ACH03
ACH03R | Satisfactory parking - full application
Reason H03 |
| 12 | ACH32 | Highway Drainage |
- Reason:** To ensure a satisfactory means of surface water drainage and to accord with Policy ER13 of the Unitary Development Plan.
- | | | |
|----|-----------------|---|
| 13 | ACI12
ACI12R | Obscure glazing (1 insert) in the first and second floor
norther flank elevation
I12 reason (1 insert) BE1 and H7 |
| 14 | ACI17
ACI17R | No additional windows (2 inserts) first floor northern flank
dwelling
I17 reason (1 insert) BE1 and H7 |

Reasons for permission:

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

- BE1 Design of New Development
- BE13 Development adjacent to a Conservation Area
- H7 Housing Density and Design
- H9 Side Space
- T3 Parking
- T18 Road Safety
- NE7 Development and Trees

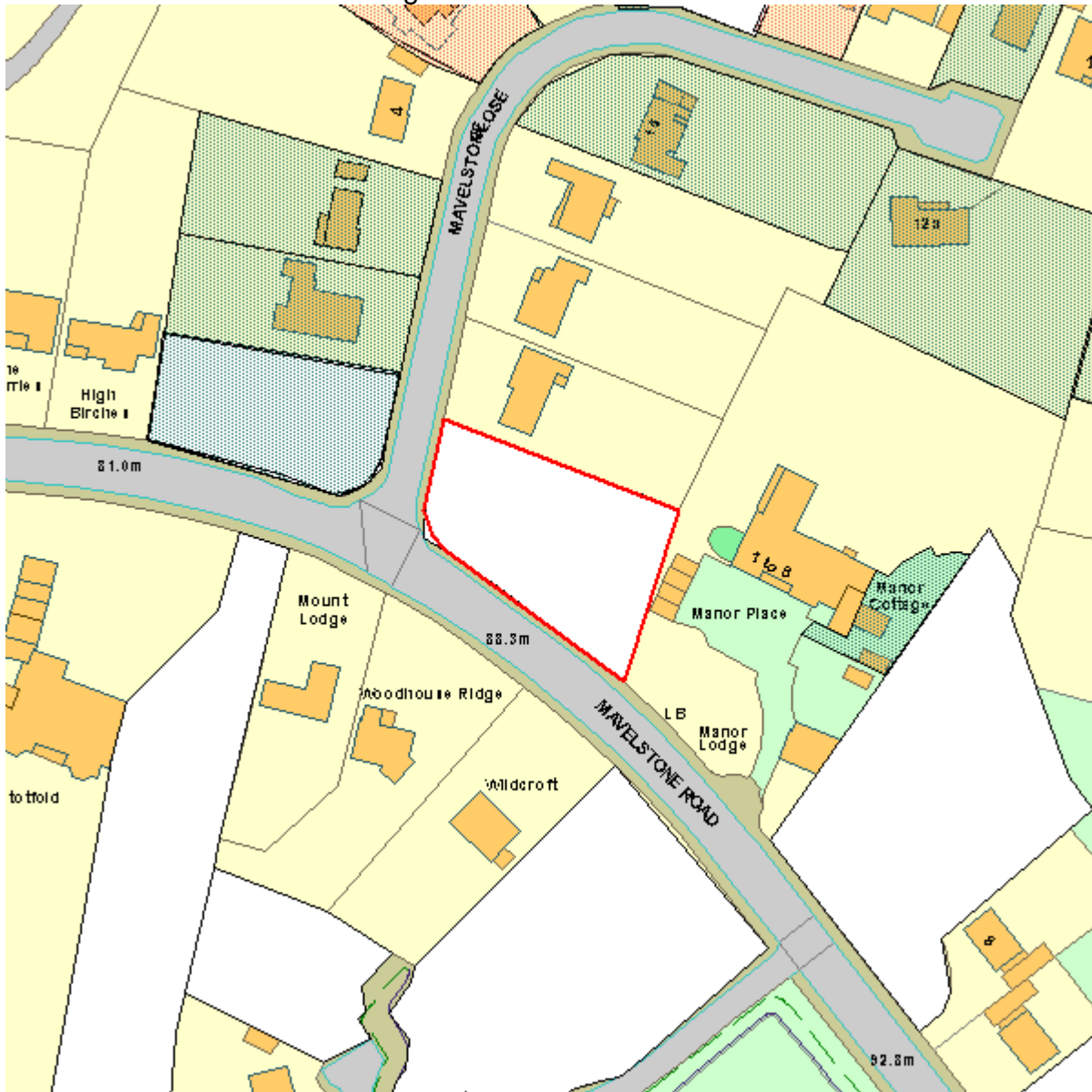
The development is considered to be satisfactory in relation to the following:

- (a) the character of the surrounding area
- (b) the impact on the amenities of the occupiers of adjacent and nearby properties

- (c) the impact on the character of the nearby conservation area
- (d) the transport policies of the UDP
- (e) the housing policies of the UDP
- (f) the impact on trees within the site.

and having regard to all other matters raised

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