

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

Application No : 11/00994/FULL1

**Ward:
Copers Cope**

**Address : Land Rear Of 91 - 117 Copers Cope
Road Beckenham**

OS Grid Ref: E: 536804 N: 170716

Applicant : JS Bloor Homes LTD

Objections : YES

Description of Development:

Demolition of Nos 103 - 105 Copers Cope Road and erection of 39 dwellings with estate road at land rear of 91-117 Copers Cope Road (revision to permission granted under ref 05/04534 to amend house design for plots 2,3,36,38,39

Key designations:

Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
Green Chain
London City Airport Safeguarding
London City Airport Safeguarding Birds
Metropolitan Open Land

Proposal

Outline planning permission was granted for 39 residential dwellings on December 21st 2006 (ref. 05/04534). Reserved matters were approved in December 2009 (ref. 09/02225). This included details of siting/design/means of access/external appearance and landscaping and retained trees pursuant to conditions 1 and 9 of permission ref. 05/04534.

This application seeks to amend the house types for 5 of the plots that are proposed on the northern part of the site, adjacent to the woodland area.

The same house type is proposed for each plot. The depth of the proposed house type would increase by 2m at the front and 2.5m at the rear, including the addition of a conservatory, and by 0.3m in width.

Location

The site is located between Beckenham and Lower Sydenham on the western side of Copers Cope Road at the rear of Nos. 91-117.

Comments from Local Residents

Nearby properties were notified and representations were received which can be summarised as follows

- concerns about the impact of construction traffic on the fabric of Grangewood Lane and suggestion that this application should include a condition prohibiting the use of Grangewood Lane for construction traffic.

In response to these concerns the applicant has advised that they own No. 2 Grangewood Lane so have a right of access over the Lane. The traffic that has used Grangewood Lane to date has been kept to a minimum and has supported pre-construction work, such as ground investigation and tree felling and the first construction work will be the demolition of Nos. 103 and 105 Copers Cope Road and the construction of the new access road. This road will be used for all construction traffic.

Comments from Consultees

The Council's Highways Officer raises no objections

Planning Considerations

The application falls to be determined in accordance with the following Unitary Development Plan policies:

BE1 Design of New Development

From an arboricultural point of view no significant trees are affected by the proposal.

Planning History

The site has been the subject of several previous relevant applications:

1. Demolition of No.s 103 and 105 Copers Cope Road and erection of 45 dwellings at land at the rear of 91-117 Copers Cope Road (ref. 05/04534) was granted outline permission on appeal in December 2006.
2. Details of siting/ design/ external appearance/ means of access/ landscaping/ regarding protected and retained trees pursuant to conditions 1 and 9 of permission ref. 05/04534 granted on appeal for demolition of Nos.103 and 105 and erection of 39 dwellings with estate road at land rear of Nos. 91-117 Copers Cope Road (ref. 09/02225) were approved in December 2009.

3. Erection of 39 dwellings and estate road on land to the rear of 91-117 Copers Cope Road, together with improvements to Grangewood Lane to provide vehicular access and replacement garage for 91 Copers Cope Road (ref. 10/02119) was refused on 23rd November 2010
4. Non-material amendment - to omit the proposed single garage serving plot 23 and to add a single garage to plot 1 (ref. 09/02225/AMD). This application is pending at the time of writing this report.

Conclusions

The main issues to be considered are whether the amendments to the house type design would have a significant impact on the layout of the proposed development and the amenities of local residents.

The plots that will be amended are situated close to the boundary with the woodland area in the northern part of the site. The increased depth will slightly reduce the depth of the gardens at the rear and the front but it is considered that this will not have a significant impact on the enjoyment of the gardens by future occupants. In addition the increased depth to the front will not affect the parking provision or result in a cramped appearance to the site layout.

The plots are located a considerable distance from the boundaries with any of the existing residential properties and, as such, will not affect the amenities that any of the existing residents enjoy.

With regard to the concerns of the local resident the applicants have given assurances that construction access will be via the new access to be constructed following the demolition of Nos. 103 and 105 Copers Cope Road. In legal terms it is not appropriate to add a condition restricting vehicular access of Grangewood Lane as this matter was not considered to warrant such a condition when the scheme was originally granted permission by the Planning Inspector.

In summary it is considered that the alteration to the house types would not have an adverse impact on the appearance of the proposed layout of the site nor the amenities of nearby residents.

Background papers referred to during the production of this report comprise all correspondence on files refs. 11/00994, 09/02225 and 05/04534, excluding exempt information.

RECOMMENDATION: MINOR AMENDMENT APPROVED

Subject to the following conditions:

- 1 ACA01 Commencement of development within 3 yrs
ACA01R A01 Reason 3 years
- 2 The development to which this permission related shall comprise no more than 39 dwellings.

Reason: In order to comply with Policies BE1 and H7 of the Unitary Development Plan and in the interest of the appearance and layout of the development.

3 The development hereby approved shall not be occupied until the access has been constructed in accordance with Peter Brett Associates drawing No 14476/C/SK12/P2 in accordance with a scheme to be agreed in writing with the local planning authority.

Reason: In order to comply with Policy T18 of the Unitary Development Plan and in the interest of pedestrian and vehicular safety.

4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order amending, revoking and re-enacting this Order) no buildings, structures, alterations, walls or fences of any kind shall be erected or made within the curtilage(s) of the dwelling(s) hereby permitted.

Reason: In order to comply with Policies BE1 and H7 of the Unitary Development Plan and in the interest of the appearance and layout of the development.

5 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order amending, revoking and re-enacting this Order) no development shall be carried out on the land or garages indicated or in such a position as to preclude vehicular access to the said land to garages hereby permitted.

Reason: In order to comply with Policies T3 and T18 of the Unitary Development Plan and in the interest of pedestrian and vehicular safety.

6 During construction of the development hereby approved, no noisy works shall be carried out before 0800 on weekdays and 0900 on Saturdays or after 1800 on weekdays and 1300 on Saturdays, nor at any time on Sundays or Bank Holidays.

Reason: In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of the amenities the occupants of nearby residential properties.

7 The plans and particulars submitted in accordance with the condition 1 above shall include:

- i) a plan showing the location of the TPO area, and allocating a reference number to, each existing tree on the site which has a stem with a diameter, measured over the bark at a point 1.5 metres above ground level, exceeding 75 mm, showing which trees are to be retained and the crown spread of each retained tree;
- ii) details of the species, diameter (measured in accordance with paragraph (i) above), and the approximate height, and an assessment of the general state of health and stability, of each retained tree and of each tree which is on land adjacent to the site and to which paragraphs (iii) and (iv) below apply;
- iii) details of any proposed topping or lopping of any retained tree, or of any tree on land adjacent to the site;
- iv) details of any proposed alterations in existing ground levels, and of the position of any proposed excavation, within the crown spread of any retained tree or of any tree on land adjacent to the site;

v) details of the specification and position of fencing and of any other measures to be taken for the protection of the TPO area and the pond and any retained tree from damage before or during the course of development.

vi) In this condition “retained tree” means an existing tree which is to be retained in accordance with the plan referred to in paragraph (i) above.

Reason: In order to comply with Policy N7 of the Unitary Development Plan and to ensure that all existing retained trees are adequately protected.

8 In this condition “retained tree” means an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs (i) and (ii) below shall have effect until the expiration of 1 year from the date of the occupation of the building for its permitted use.

i) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the local planning authority. Any topping or lopping approved shall be carried out in accordance with British Standard 3998 (Tree Work).

ii) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such a size and species, and shall be planted at such time, as may be specified in writing by the local planning authority.

iii) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written approval of the local planning authority.

Reason: In order to comply with Policy N7 of the Unitary Development Plan and to ensure that all existing retained trees are adequately protected.

Reasons for granting permission:

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

BE1 Design of New Development

The development is considered satisfactory in relation to the following:

- (a) the appearance of the development in the street scene
- (b) the relationship of the development to adjacent property
- (c) the character of the development in the surrounding areas
- (d) the impact on the amenities of the occupiers of adjacent and nearby properties, in relation to privacy, light and outlook

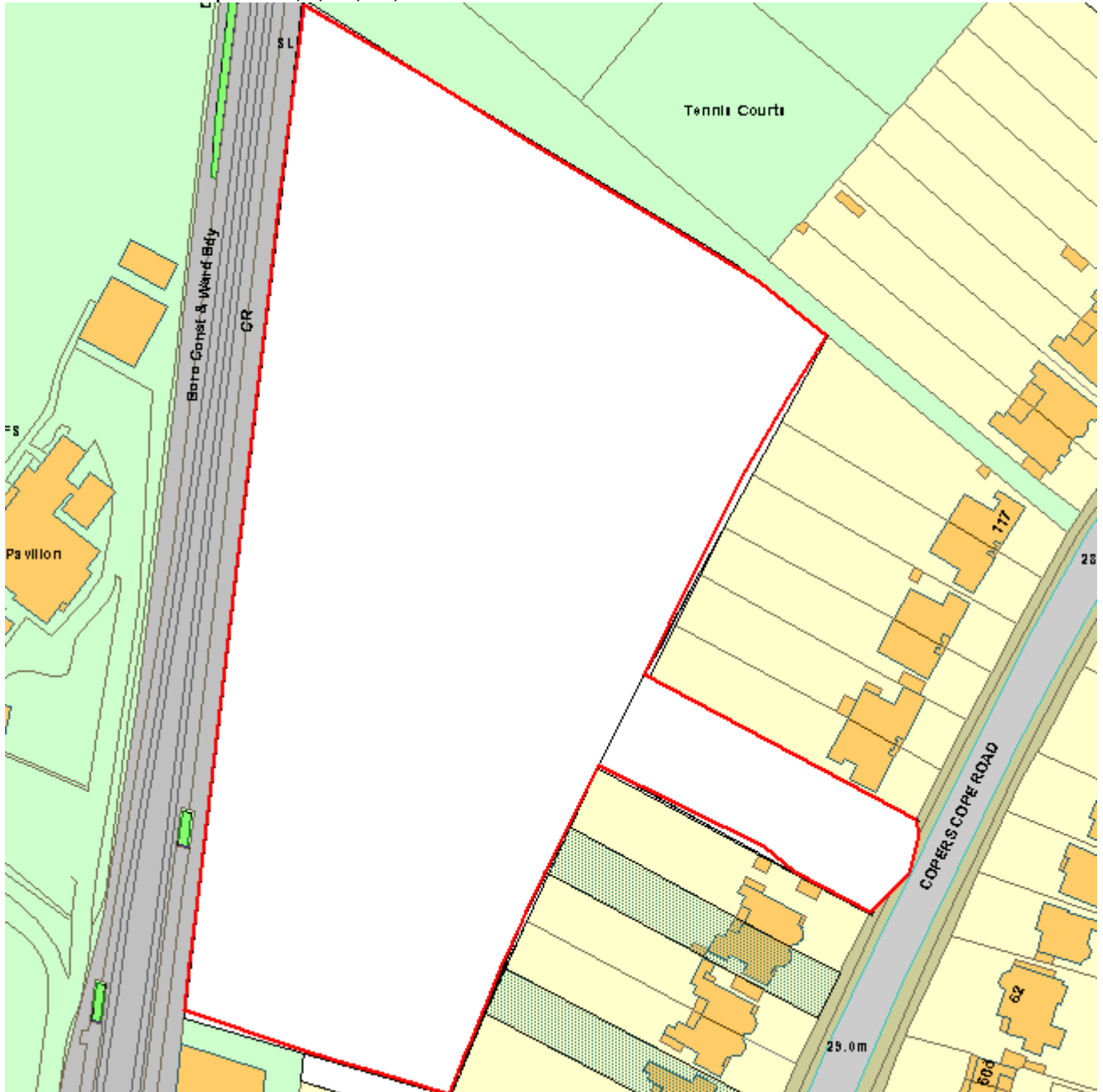
- (e) the housing policies of the development plan
- (f) the green belt and open space policies of the development plan

and having regard to all other matters raised.

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