

SECTION '4' – Applications recommended for REFUSAL or DISAPPROVAL OF DETAILS

Application No : 11/00621/FULL1

**Ward:
Chislehurst**

Address : Lyridon The Drive Chislehurst BR7 6QS

OS Grid Ref: E: 545536 N: 168960

Applicant : Modium Developments Ltd.

Objections : YES

Description of Development:

Development of 1no five bedroom detached house with integral garage and 1no three bedroom detached house with integral garage at land adjacent to Lyridon.

Key designations:

Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
London City Airport Safeguarding
London City Airport Safeguarding Birds

Proposal

The application site comprises two plots, No 1 to the south and No 2 to the north. Both of the houses would be of fairly substantial size and would incorporate integral double garages. Access would be provided via a new driveway off The Drive which would serve both properties. In addition, it is proposed to enhance the sight lines to the east of the junction of The Drive and Leasons Hill. An Arbicultural Report and Traffic Engineers Report have been submitted in support of the application.

Location

This irregularly shaped application site – situated to the rear of the houses at Nos. 202 and 204 Leasons Hill, and to the south west and rear of “Lyridon”, The Drive – was formerly part of the side and rear garden of “Lyridon” and part of the rear garden of No 204 Leasons Hill. The site is located in The Drive, an unadopted highway and cul-de-sac. The surrounding area is wholly residential. Access from The Drive is on to Leasons Hill which is a classified local distributor road.

Comments from Local Residents

Nearby owners/occupiers were notified of the application. Representations have been received which may be summarised as follows:

- development is close to neighbouring houses and will result in a loss of light, loss of prospect and overlooking
- new increased sight lines on to Leasons Hill may be short-lived
- similar development has occurred to rear of No 197 Leasons Hill which is considered undesirable
- proposal represents over-development in relation to the surrounding area and neighbouring properties
- similar development has previously been refused
- insufficient sight lines at junction of The Drive and Leasons Hill resulting in potential road safety hazard
- vehicles serving the development which park along the driveway could obstruct neighbours' cars
- proposal development may limit rights for connection of neighbouring properties on to the main drainage system

Supporting letters have also been received on the basis that the houses will be of appropriate design in the area and due to the improved visibility splay.

Comments from Consultees

Technical highways objections have been raised on the basis that the introduction of the 2 proposed dwellings would intensify the use of the junction of Leasons Hill and The Drive which has sub-standard sightlines which would lead to conditions prejudicial to the free flow and general safety of traffic along these roads.

No objection has been raised in principle by the Tree Officer, although it is advised that the dwelling at Plot 1 is moved further away from a young redwood tree.

No objections have been raised by Thames Water or the Drainage division.

Planning Considerations

Policies Unitary Development Plan Policies are BE1 (Design of New Development), H7 (Housing), NE7 (Development and Trees), T3 (Parking) and T18 (Road Safety).

Planning History

There is extensive planning history associated with this site, which has been the subject of previous planning applications and appeals.

Under ref. 90/02423, planning permission was granted for two detached bungalows. However, these were not implemented. Subsequently, under ref. 00/01900 a scheme for three detached houses was refused and dismissed at appeal on the basis that the proposed development would intensify the use of the junction of The Drive with Leasons Hill and in the absence of adequate sight lines at the junction, would lead to conditions prejudicial to the free flow and general

safety of traffic along these roads. Subsequent applications for two detached houses (ref. 01/03084) and a single detached house (ref. 04/04079) were refused on similar grounds, the latter also being dismissed at appeal.

Conclusions

The key issues to be considered relate to the effect on road safety at the junction of The Drive with Leasons Hill, the impact of the proposal on the character of the area, and its impact on neighbouring amenity.

Whilst it is acknowledged that an effort has been made to enhance the sightlines at the junction of The Drive and Leasons Hill, it is not considered that this overcomes earlier objections raised by the Council, and concerns persist in relation to the stopping sight distance and sub-standard sightlines. The introduction of the two proposed dwellings would intensify the use of the junction which, in light of these circumstances, would lead to conditions prejudicial to the free flow and general safety of traffic along these roads

With regard to local character, the site is considered large enough to accommodate two large detached houses without conflicting with local spatial standards or appearing unduly cramped. Whilst objections have been raised in relation to the impact of the development on neighbouring amenity, it is considered that an adequate separation will be maintained to surrounding houses and that matters such as overlooking or visual impact could be controlled by way of condition. Since the application was first deposited the dwelling at Plot 2 has been re-sited further away from the western boundary meaning that a separation of approximately 4 metres will be maintained and that the completed dwelling will appear less dominant from neighbouring properties.

With reference to Planning Policy Statement 3 – “Housing”, the amended guidance issued in June 2010 advises that private residential gardens are now excluded from the definition of previously developed land. However, this does not necessarily mean that such land is unsuitable for development. In this case, it has previously been recognised by the Council and Planning Inspectors that the site is large enough to accommodate at least two houses. Aside from its substantial size, the site benefits from a direct frontage onto The Drive, and it is also considered that the spatial standards associated with the development would respect local character. However, this consideration does not outweigh the concerns relating to highway safety.

Background papers referred to during production of this report comprise all correspondence on files refs. 00/01900, 01/03084, 04/04079 and 11/00621, excluding exempt information.

as amended by documents received on 16.05.2011

RECOMMENDATION: PERMISSION BE REFUSED

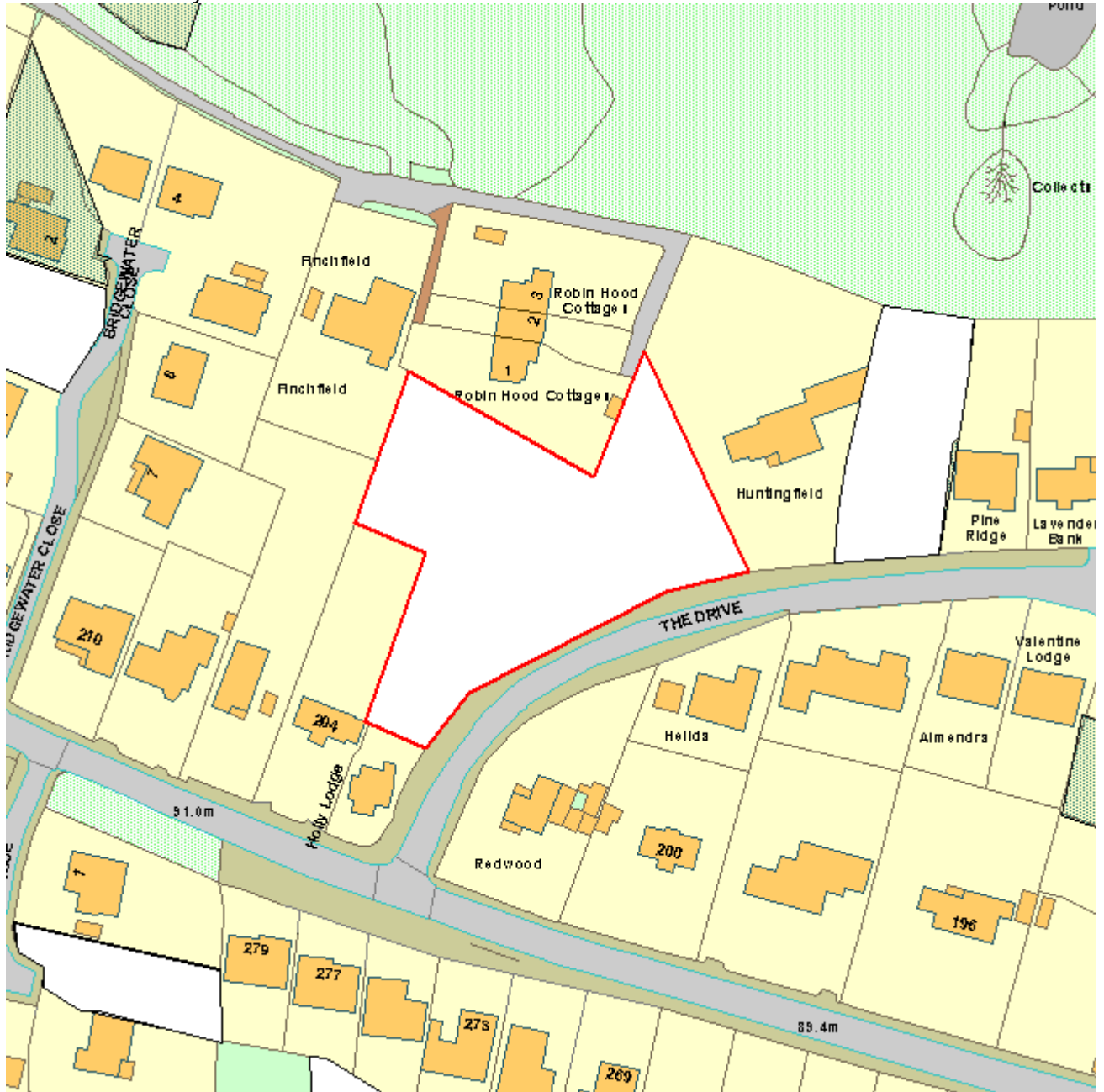
The reasons for refusal are:

- 1 The proposed development would intensify the use of the junction of The Drive with Leasons Hill and in the absence of adequate sight lines at the junction, would lead to conditions prejudicial to the free flow and general safety of traffic along these roads, thereby contrary to Policy T18 of the Unitary Development Plan.

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