

SECTION '2' – Applications meriting special consideration

Application No : 11/00563/FULL1

Ward:
**Bromley Common And
Keston**

Address : Denton Court 60 Birch Row Bromley
BR2 8DX

OS Grid Ref: E: 543273 N: 166944

Applicant : Broomleigh Housing Association

Objections : YES

Description of Development:

Demolition of existing sheltered housing accommodation and erection of 4 semi-detached and 23 terraced two storey houses (4 including accommodation in roof) (13 two bedroom, 12 three bedroom and 2 four bedroom), with 34 car parking spaces

Key designations:

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

Proposal

27 two storey houses with 40 car parking spaces are proposed. The accommodation mix is as follows:

- 2 four bedroom market sale houses (including accommodation in the roofspace)
- 9 three bedroom market sale houses
- 6 two bedroom market sale houses
- 2 three bedroom social rented affordable houses (including accommodation in the roofspace)
- 5 two bedroom social rented affordable houses (including 2 wheelchair accessible houses)
- 2 two bedroom shared ownership affordable houses
- 1 three bedroom shared ownership affordable house.

The houses will feature materials including red brickwork, yellow/buff London stock brickwork, concrete tiles and render.

The proposal seeks to address the Inspector's comments following the dismissal of an appeal relating to a previous scheme (application ref. 09/02936).

The application is accompanied by a Planning Statement which makes the following points:

- careful consideration has been given to Inspector's comments to ensure that proposed development complements the character of the surrounding area
- layout and form of development has been revised considerably to produce a more sensitive form of development
- proposal represents a more traditional layout of houses compared with the appeal proposal – there will be generous rear gardens and more generous front gardens to complement character of development in Ash Row, Birch Row and Larch Way.

The application is accompanied by a Design and Access Statement which details the pre-application community consultation which has taken place and also includes the following points:

Site opportunities

- safe and secure development through creating active street frontages and meeting Secured by Design standards
- attractive private amenity space and secure in curtilage parking that allows for natural surveillance
- redevelop under-utilized areas of open space to improve land efficiency and security
- retain mature trees of value and provide new planting
- enhance character and appearance of area

Design objectives

- distinctive and sustainable neighbourhood
- dwellings facing onto public areas for passive surveillance
- appropriate mix of housing to meet housing needs
- Code for Sustainable Homes Level 4 on affordable homes
- reference from surrounding area in terms of scale and materials
- well related buildings, open spaces and landscaping

Design rationale

- safe, secure and integrated with surroundings
- back to back gardens to create secure perimeter block
- active surveillance of public realm
- in curtilage car parking softened by more generous garden frontages

Built form, scale and massing

- differing urban form and roofscape adding interest to street

- in keeping with form of surrounding development
- angled dwelling used to turn corners to maintain active street frontage
- traditional materials to reflect surroundings along with more contemporary materials such as timber infill cladding panels

Secured by Design Standards

- use of perimeter blocks to define public and private spaces
- layout of buildings and dwellings to maximise overlooking and surveillance of public areas
- robust boundary treatments to clearly define defensible space
- 1.8m high fences to rear garden boundaries.

The application is also accompanied by the following:

- Arboricultural and Constraints Advice which concludes that the site is suitable for development
- Sustainability and Energy Statement which recommends air source heat pumps to provide on-site renewable energy
- Transport Statement which concludes that development is appropriate in transport terms.

Location

The site is located between Birch Row, Larch Way and Ash Row within the Coppice Estate and currently contains 41 sheltered housing units within three buildings erected in 1971. The surrounding area predominantly comprises a mixture of two storey terraced and semi-detached houses and some three storey blocks of flats on Birch Row and Hornbeam Way. There is currently an open grassed area around the buildings. Bromley Golf Course lies beyond nearby housing to the west of the site.

Comments from Local Residents

Nearby residents were notified of the application and representations were received, which can be summarised as follows:

- overdevelopment / excessive density
- proposal does not overcome appeal Inspector's concerns
- loss of green space
- increased pressure on local health and education infrastructure
- increased pressure on R3 bus service
- inadequate car parking / increased demand for on-street car parking
- increased traffic
- detrimental impact on highway and pedestrian safety
- increased pollution
- loss of light
- increased noise and disturbance
- increased social problems.

Comments from Consultees

There are no objections in terms of Environmental Health.

The Metropolitan Policy Crime Prevention Design Advisor has no objections.

There are no objections in terms of housing.

The arrangements for household waste storage and collection are considered satisfactory.

There are no objections from the Council's in-house drainage consultant.

Thames Water has no objections to the proposal.

Any further responses to consultations will be reported verbally at the meeting.

Planning Considerations

Planning Considerations

The proposal falls to be considered primarily with regard to the following policies:

UDP

- T1 Transport Demand
- T2 Assessment of Transport Effects
- T3 Parking
- T5 Access for People with Restricted Mobility
- T6 Pedestrians
- T7 Cyclists
- T11 New Accesses
- T18 Road Safety
- H1 Housing Supply
- H2 Affordable Housing
- H5 Accessible Housing
- H7 Housing Density and Design
- BE1 Design of New Development
- BE7 Railings, boundary walls and other means of enclosure.

London Plan

- 2A.9 The Suburbs: supporting sustainable communities
- 3A.1 Increasing London's supply of housing
- 3A.3 Maximising the potential of sites
- 3A.6 Quality of new housing provision
- 4A.3 Sustainable Design and Construction
- 3D.13 Children and young people's play and informal recreation strategies
- 4A.3 Sustainable Design and Construction
- 4A.4 Energy Assessment
- 4A.7 Renewable Energy
- 4A.14 Sustainable Drainage

- 4B.1 Design Principles for a Compact City
4B.8 Respect local context and communities.

Planning permission was refused in December 2009 for demolition of existing sheltered housing accommodation and erection of two and three storey buildings comprising 12 two bedroom, 6 three bedroom and 2 four bedroom houses and 12 two bedroom flats (total 32 units) including 30 car parking spaces, cycle parking provision, refuse storage and new access courtyard area (ref. 09/02396). The grounds of refusal were as follows:

The proposal constitutes an undesirable loss of a Community facility contrary to Policy C1 of the Unitary Development Plan.

The proposed development, by reason of the type and number of units proposed, would be out of character with the pattern of surrounding development, resulting in an over intensive use of the site and would therefore be contrary to Policy H7 and BE1 of the Unitary Development Plan.

The proposed development would be lacking in adequate on-site car parking provision to accord with the Council's standards and is therefore contrary to Policy T3 of the Unitary Development Plan.

The proposal would be lacking in adequate amenity space for future occupants and which would, if permitted, result in a cramped environment for such occupants, contrary to Policies H7 and BE1 of the Unitary Development Plan.

A subsequent appeal was dismissed and the Inspector concluded that:

- room within the central link building could not be considered a community facility in planning terms and the proposal accorded with Policy C1.
- proposal was acceptable in terms of car parking and highway safety
- scheme would have provided adequate amenity space for occupants despite a number of shallow gardens.

However, the Inspector considered that the proposal would be out of character with the surrounding area and the following are excerpts from his report:

'The appeal site is in a generally residential area. There are several open, green spaces in the vicinity, notably those off Almond Way and Lovelace Avenue. Many of the roads here have rather generous grass verges separating them from the pavement, some of which include trees. At a number of road junctions, the verge widens such that the pavement cuts an angled swathe through the grass to either side. The nearest roundabouts are also grassed and have trees on them. On the whole, properties in the immediate vicinity are set back by front gardens of a quite decent depth, many of which are fronted by hedging or other greenery. Despite the presence of terraced rows, and partly as a result of the open spaces and garden areas, the density of development is generally quite low. All of this,

in my view, combines to create a palpable sense of spaciousness and lends the neighbourhood a distinctly suburban, leafy impression. Because of their effect in this regard, I consider the public and private open areas to be among the locality's most positive attributes and, along with the restrained density of the built form, are somewhat definitive of its character and appearance.

Currently, at the junction of Ash Row, Larch Way and Birch Row, the linked buildings occupying the site are positioned significantly back from those streets. They are surrounded by a quite considerable grassed area extending to the pavement. This adds considerably to the spacious, open nature of this quarter.

Whilst the proposed buildings facing onto Larch Way would have reasonably sized front gardens, those facing onto Ash Row and Birch Row would be substantially closer to the pavement edge. Because of these buildings' position in relation to the street, the spaciousness of the immediate area would be substantially eroded, despite the retention of the verges. Whilst I agree with the appellant that the space around the existing Denton Court buildings is exceptionally generous, the degree to which the appeal development would diminish this would have a significant, adverse impact on this defining characteristic of the neighbourhood.

In addition, the proposed buildings' intimacy with the street would be somewhat out of character with the predominant pattern of development. Because of this relationship, the development would appear rather more urban in nature, especially in respect of the three storey units. The higher density of buildings proposed would worsen matters, with the result that the site would look rather overcrowded and significantly more intensely developed than is characteristic of the area. The scheme would stand out and look out of place in the street scene as a consequence. Largely hidden from the surrounding streets, the open nature of the proposed courtyard amenity space would not address this, notwithstanding its other advantages.

I acknowledge that the proposed buildings' density and proximity to Ash Row and Birch Row would be similar to that of the cluster of dwellings to the north of the site. But that juxtaposition is not representative of the area as a whole. Moreover, that neighbouring group has a substantial green band of grass verge and trees along Hornbeam Way, which adds to and enhances the area's quality. The proposed development includes no such compensatory feature.'

Three maple trees at the southern end of the site would need to be removed to facilitate development. They are considered to contribute to public amenity and it would be desirable to retain them.

The affordable housing will be secured through a Section 106 legal agreement. The Council has requested financial contributions which will also be secured through a Section 106 agreement to address the additional demand placed on healthcare and education infrastructure in the area as follows:

Pre school education:	£20,891.43
Primary education:	£79,846.81
Secondary education:	£69,978.29
16-17 yrs old education:	£34,514.09
Healthcare:	£40,767.
 Total:	 £245,997.62

As part of the application process, it was necessary for the Council to give a Screening Opinion as to whether an Environmental Impact Assessment was required. The proposal constitutes Schedule 2 development within the meaning of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999. After taking into account the selection criteria in Schedule 3 of the Regulations and the terms of the European Directive, it was considered that the proposed development would not be likely to have significant effects on the environment by virtue of factors such as its nature, size and location. This opinion was expressed taking into account all relevant factors including the information submitted with the application, advice from technical consultees, the scale/characteristics of the existing and proposed development on the site. The applicants have been advised accordingly.

The proposal equates to a residential density of 54 dwellings per hectare.

Conclusions

The main issues to be considered in this case are the impact of the proposal on the character and residential amenities of the area. Particular consideration should be given to whether the revised scheme overcomes the Inspector's concerns relating to the previous proposal.

In preparing this revised proposal the applicant has sought to respond to the concerns of the appeal Inspector through reducing the density of the scheme, omitting the three storey block of flats and setting the houses back from the street. As a result the scheme will be more in keeping with the character of surrounding development, particularly given the height and layout of the development and the soft landscaping. The design of the houses will complement the character of surrounding development and the variety of elevational treatments should add some interest to the street scene.

A number of the houses will have fairly shallow rear gardens, the shortest being that to house No. 17 at approx. 7m deep. However, the gardens are generally deeper and more generous than those previously proposed, which were considered acceptable by the appeal Inspector. The orientation of the houses is such that there will be no undue harm from overlooking.

The proposal involves the loss of 3 maple trees that make a positive contribution to visual amenity. However, this is not considered grounds for refusal of planning permission and it should also be noted that the previous application was not refused on a trees grounds and the appeal Inspector had no objection to the loss of these trees.

It can be considered that the revisions to the previous scheme represent a significant improvement and have satisfactorily addressed the comments made by the Inspector. The proposal is considered acceptable.

as amended by documents received on 12.04.2011

RECOMMENDATION: PERMISSION SUBJECT TO THE PRIOR COMPLETION OF A LEGAL AGREEMENT

and the following conditions:

- | | | |
|----|--------|---|
| 1 | ACA01 | Commencement of development within 3 yrs |
| | ACA01R | A01 Reason 3 years |
| 2 | ACA04 | Landscaping Scheme - full app no details |
| | ACA04R | Reason A04 |
| 3 | ACA08 | Boundary enclosures - implementation |
| | ACA08R | Reason A08 |
| 4 | ACB01 | Trees to be retained during building op. |
| | ACB01R | Reason B01 |
| 5 | ACB02 | Trees - protective fencing |
| | ACB02R | Reason B02 |
| 6 | ACB03 | Trees - no bonfires |
| | ACB03R | Reason B03 |
| 7 | ACB04 | Trees - no trenches, pipelines or drains |
| | ACB04R | Reason B04 |
| 8 | ACC01 | Satisfactory materials (ext'n'l surfaces) |
| | ACC01R | Reason C01 |
| 9 | ACC03 | Details of windows |
| | ACC03R | Reason C03 |
| 10 | ACD02 | Surface water drainage - no det. submitt |
| | ADD02R | Reason D02 |
| 11 | ACH03 | Satisfactory parking - full application |
| | ACH03R | Reason H03 |
| 12 | ACH16 | Hardstanding for wash-down facilities |
| | ACH16R | Reason H16 |
| 13 | ACH18 | Refuse storage - no details submitted |
| | ACH18R | Reason H18 |
| 14 | ACH22 | Bicycle Parking |
| | ACH22R | Reason H22 |
| 15 | ACH27 | Arrangements for construction period |
| | ACH27R | Reason H27 |
| 16 | ACH32 | Highway Drainage |
| | ADH32R | Reason H32 |
| 17 | ACI02 | Rest of "pd" Rights - Class A, B,C and E |
- Reason:** In order to comply with Policy BE1 of the Unitary Development Plan and in the interests of the visual and residential amenities of the area.
- | | | |
|----|--------|------------------------------------|
| 18 | ACI21 | Secured By Design |
| | ACI21R | I21 reason |
| 19 | ACK05 | Slab levels - no details submitted |

	ACK05R	K05 reason
20	ACL01	Energy Strategy Report
	ADL01R	Reason L01

Reasons for permission:

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

- T1 Transport Demand
- T2 Assessment of Transport Effects
- T3 Parking
- T5 Access for People with Restricted Mobility
- T6 Pedestrians
- T7 Cyclists
- T11 New Accesses
- T18 Road Safety
- H1 Housing Supply
- H2 Affordable Housing
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- H7 Housing Density and Design
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- BE7 Railings, boundary walls and other means of enclosure.

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- 2A.9 The Suburbs: supporting sustainable communities
- 3A.1 Increasing London's supply of housing
- 3A.3 Maximising the potential of sites
- 3A.6 Quality of new housing provision
- 4A.3 Sustainable Design and Construction
- 3D.13 Children and young people's play and informal recreation strategies
- 4A.3 Sustainable Design and Construction
- 4A.4 Energy Assessment
- 4A.7 Renewable Energy
- 4A.14 Sustainable Drainage
- 4B.1 Design Principles for a Compact City
- 4B.8 Respect local context and communities.

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

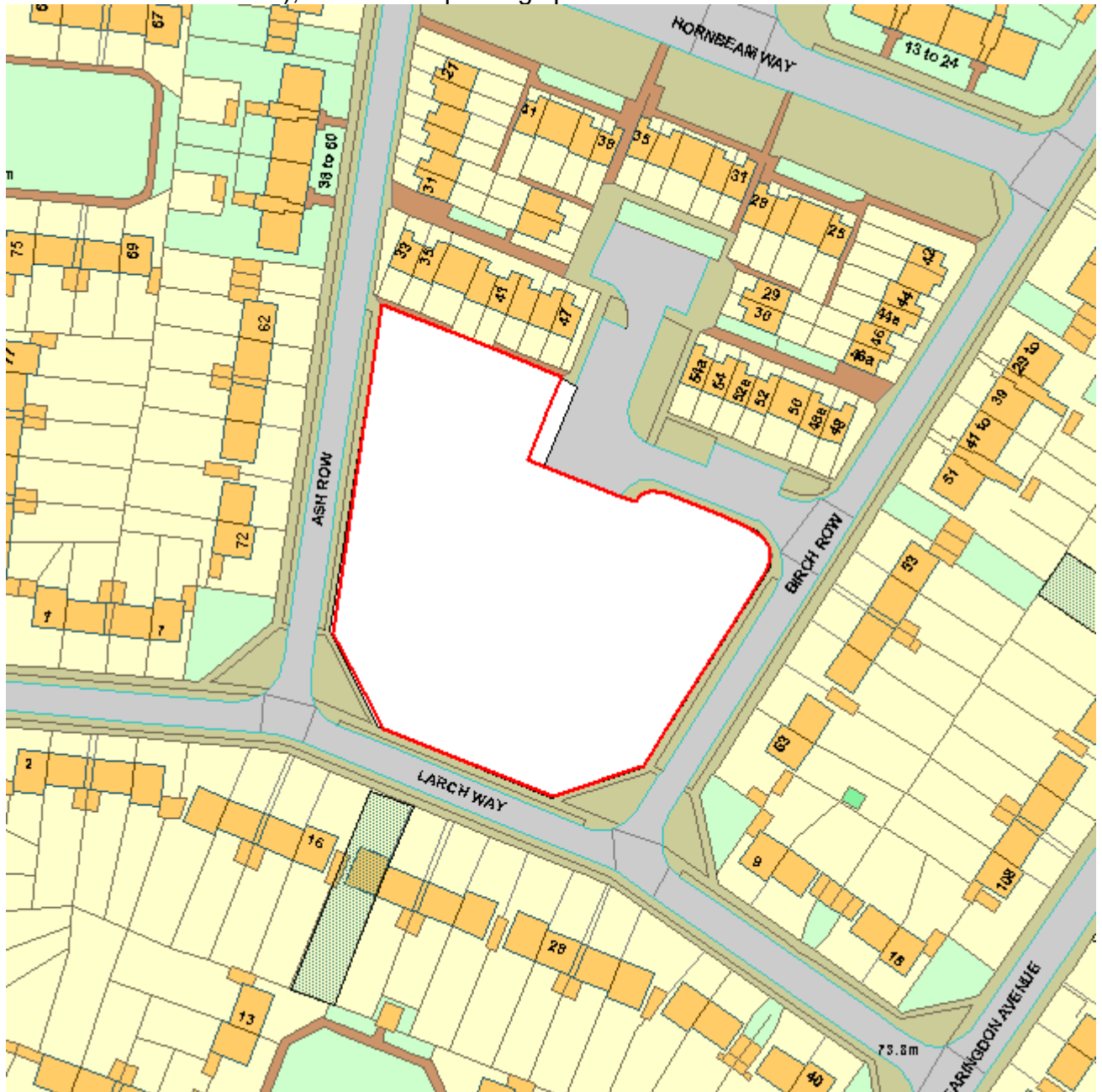
- (a) the appearance of the development in the street scene
- (b) the relationship of the development to adjacent property
- (c) the character of the development in the surrounding area
- (d) the impact on the amenities of the occupiers of adjacent and nearby properties
- (e) the safety of pedestrians and motorists on the adjacent highway
- (f) the safety and security of buildings and the spaces around them
- (g) accessibility to buildings
- (h) the housing policies of the development plan
- (i) the design policies of the development plan

(j) the transport policies of the development plan
and having regard to all other matters raised.

Reference: 11/00563/FULL1

Address: Denton Court 60 Birch Row Bromley BR2 8DX

Proposal: Demolition of existing sheltered housing accommodation and erection of 4 semi-detached and 23 terraced two storey houses (4 including accommodation in roof) (13 two bedroom, 12 three bedroom and 2 four bedroom), with 34 car parking spaces



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