

Section '3' - Applications recommended for PERMISSION, APPROVAL or CONSENT

**Application No :** 11/01789/OUT

**Ward:**  
**Orpington**

**Address :** Garage Compound Adjacent 111 Eldred Drive Orpington

**OS Grid Ref:** E: 547664 N: 165994

**Applicant :** Ms L Buchan

**Objections :** NO

**Description of Development:**

Demolition of existing garage block and erection of terrace of 3 two storey dwellings incorporating roof space accommodation

Key designations:

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

**Proposal**

This outline application relates to layout, scale and access. It should be noted that the elevations shown on the plan are for massing purposes only.

The proposed terrace would incorporate a footprint measuring approximately 16.6m in width and a maximum 11.2m in depth. The left-hand (western) dwelling would be wider and inset in relation to the two other dwellings with the front elevation set approximately 5.0m behind in order to maintain a wider separation from a protected maple tree fronting Eldred Drive. The indicative front elevation shows that the terrace would maintain a similar height and roof design as the neighbouring dwelling at No 111.

**Location**

The site fronts Eldred Drive and is occupied by a garage block of 15 units. The block is in a semi-derelict state with the site now being cordoned off from Eldred Drive by close boarded fencing. The surrounding area is predominantly residential in character.

**Comments from Local Residents**

Nearby owners/occupiers were notified of the application and at the time that this report was written no representations had been received.

### **Comments from Consultees**

No technical Highways or Drainage objections have been raised, subject to conditions.

### **Planning Considerations**

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

No objections have been raised by the Trees Officer subject to conditions.

### **Planning History**

Under application ref. 08/03875, outline planning permission for a terrace of five two storey houses which would have been built toward the western boundary of the site was refused. This was on the basis that the proposal would constitute a cramped overdevelopment of the site, out of character with the area and lacking in adequate amenity area for future occupants. In addition, it was considered that the proposal would be detrimental to the amenities of the occupiers of the adjacent residential properties by reason of loss of prospect, visual impact and an unacceptable degree of noise and disturbance due to the siting, design and scale of the proposal.

The application was subsequently dismissed at appeal, the Appeal Inspector considering that the development would result in “an uncomfortable relationship with the rear garden to No 111 Eldred Drive” and that “the relationship of the proposed houses to the western boundary would be obvious in rear views from a number of the neighbouring properties... the houses would appear as though they had been squeezed into the site. This would be in direct contrast to their more spacious surroundings and would be seen as being out of character.”

The Inspector also considered that given their proximity to the patios serving the proposed houses “the occupants of No 111 Eldred Drive are likely to suffer from noise and disturbance and, because the patio areas abut virtually the full length of their garden, this is likely to cause material harm to their living conditions.”

Furthermore, the Inspector noted that:

“The indicative drawings show that it should be possible to design the houses in such a way that, despite their proximity to the western boundary, there would be no overlooking of the rear garden of No 111 Eldred Drive. However, I find it unlikely that two storey houses could be satisfactorily designed such that there was also no overlooking of the rear gardens of the properties on Rye Field.”

In his conclusions, the Inspector considered that “the proposed development would appear cramped and would fail to complement the more spacious qualities of the surrounding area.”

Under application ref. 10/00750 an outline application for a terrace of three houses fronting Eldred Drive was refused on the basis that this would result in the loss of a mature maple tree subject to Tree Preservation Order (No 2371) – which contributes significantly to the visual amenities of the area – and the proposal would therefore be contrary to Policies BE1 and NE7 of the Unitary Development Plan. No other objection was raised.

## **Conclusions**

The main issues relating to the application are the effect that it would have on the character of the area, the impact that it would have on the amenities of the occupants of surrounding residential properties, and its impact on an adjacent protected maple tree.

In comparison to the 2008 application the number of units proposed has been reduced from five to three and the proposed houses would front Eldred Drive. Consequently, it is considered that concerns relating to neighbouring amenity, in particular overlooking, visual impact, loss of prospect and noise and disturbance have, to a large extent, been resolved. The rear of the application site will comprise garden areas which will conform to surrounding spatial standards. It is considered that an adequate separation will be maintained between the proposed and existing houses surrounding the site. In the case of the dwelling at No 111, the site plan shows that a 45° line of vision will be maintained from the rear of the main two storey part of the dwelling and the application site.

With regard to their appearance within the streetscene the indicative elevations show that the proposed houses would maintain similar proportions as the existing houses fronting Eldred Drive, and that their plot sizes would be commensurate with neighbouring dwellings.

Background papers referred to during production of this report comprise all correspondence on files refs. 08/03875, 10/00750 and 11/01789, excluding exempt information.

## **RECOMMENDATION: PERMISSION**

Subject to the following conditions:

- |   |        |  |
|---|--------|--|
| 1 | ACA01  | Commencement of development within 3 yrs |
|   | ACA01R | A01 Reason 3 years                       |
| 2 | ACA02  | Details req. pursuant outline permission |
|   | ACA02R | Reason A02                               |
| 3 | ACA07  | Boundary enclosure - no detail submitted |
|   | ACA07R | Reason A07                               |
| 4 | ACC01  | Satisfactory materials (ext'nl surfaces) |
|   | ACC01R | Reason C01                               |

- |   |        |  |
|---|--------|--|
| 5 | ACC03  | Details of windows                       |
|   | ACC03R | Reason C03                               |
| 6 | ACI02  | Rest of "pd" Rights - Class A, B,C and E |

**Reason:**In order to control future development on the site in the interest of neighbouring amenity and to prevent overdevelopment, in accordance with Policies BE1 and H7 of the Unitary Development Plan.

**Reasons for permission:**

In granting 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 |
| NE1 | Development and Trees      |
| T3  | Parking                    |

The development is considered satisfactory in relation to the following:

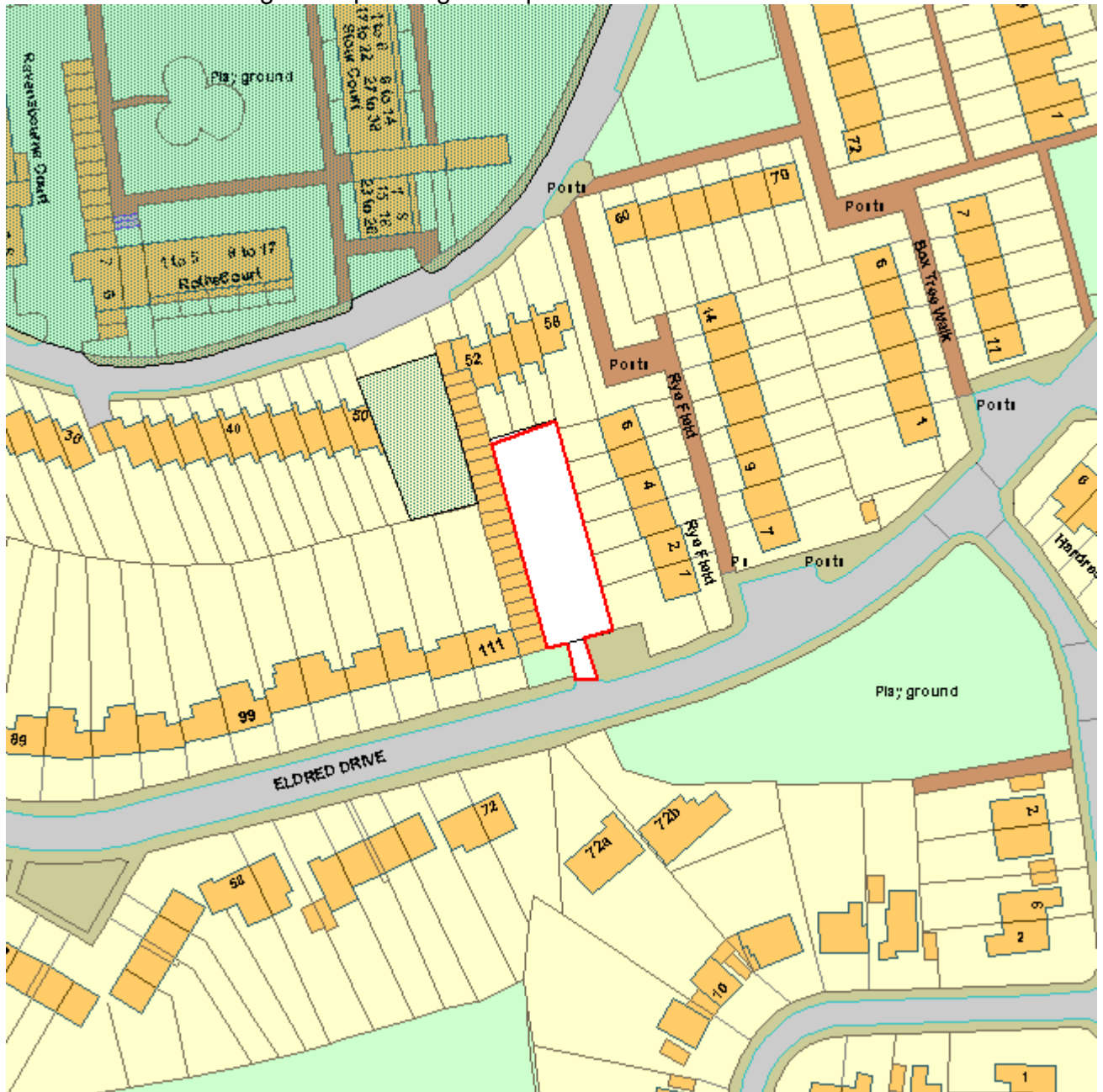
- (a) the appearance of the development in the street scene;
- (b) the relation of the development to the adjacent properties;
- (c) the character of the development in the surrounding area;
- (d) the impact on the amenities of the occupiers of adjacent and nearby properties;
- (e) the light and outlook of occupiers of adjacent and nearby properties;
- (f) the privacy of occupiers of adjacent and nearby properties

and having regard to all other matters raised.

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