

SECTION '2' – Applications meriting special consideration

Application No : 14/05019/FULL1

Ward:
Bromley Town

Address : 74 Madeira Avenue Bromley BR1 4AS

OS Grid Ref: E: 539412 N: 170089

Applicant : Miss R Stone

Objections : YES

Description of Development:

Demolition of existing bungalow and replacement building comprising 5 x 2 bedroom apartment and off road car parking.

Key designations:

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

Proposal

Permission is sought for the demolition of the existing detached bungalow and the erection of a three storey building comprising five two bedroom flats.

The development proposes five off-street car parking spaces and cycle storage inside one of the proposed garages.

The site has an area of 0.076ha and therefore has a proposed density of 65 dwellings per hectare.

Location

The application site is located on the north-east side of Madeira Avenue, Bromley. This is a residential area with a mixture of housing style and types. The application site currently has an existing bungalow on the site. The site slopes upwards with the rear garden currently accessed by climbing several steep steps. The rear garden contains mature trees and landscaping.

Comments from Local Residents

Nearby owners/occupiers were notified of the application and at the time of writing the report 30 representations were received in objection to the scheme, which can be summarised as follows:

- The development would not preserve or enhance the character of the area
- Out of character
- There are no blocks of flats on Madeira Ave
- There is not sufficient parking and overspill onto the road will result
- Overdevelopment
- It would not be a family house
- A precedent will be set
- It would be out of character to remove the front garden and replace it with hardstanding for car parking
- The flats will increase the flow of traffic on the road
- Concerns are raised over the large amount of soil removal from the property

Full copies of all the objection letters can be found on the planning application file.

Additionally, The Ravensbourne Preservation Society have objected to the proposal on the basis that the proposal would be uncharacteristic of adjoining properties and other buildings in the road, the scheme does not involve any green areas, the overall scale, bulk and massing of the proposal is excessive, the proposal would be the only blocks in the road, the footprint of the building would be bigger than other properties in the road, the road would be used for increased car parking, would have an unacceptable impact on neighbours, loss of privacy to neighbours, no arboricultural report has been submitted, no cycle storage or space for recycling has been made available.

Comments from Consultees

No Highways objections are raised subject to conditions.

The development is located in an area with a PTAL rating of 1b (on a scale of 1-6, where 6 is the most accessible) and lies just outside of Bromley Town Centre Controlled Parking Zone (CPZ). The development allows for 1 off road car parking space per unit. There is also a garage that will be used by apartment 3 (Penthouse) and cycle storage.

No objection were received from the Drainage Engineer subject to a condition.

Thames Water made the following comments:

With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater.

No Environmental Health (Pollution) have raised no objections subject to an informative.

Environmental Health (Housing) have stated that the applicant is advised to have regard to the Housing Act 1985's statutory space standards contained within Part X of the act and the Housing Act 2004's housing standards contained within the Housing Health and Safety Rating System under Part 1 of the Act.

Tree Officer: no response received at time of reporting.

Waste services: no response received at time of reporting.

Planning Considerations

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

- BE1 Design of New Development
- BE7 Railings, Boundary Walls and Other Means of Enclosure
- H1 Housing Supply
- H7 Housing Density and Design
- H9 Side Space
- H11 Residential Conversions
- NE7 Development and Trees
- T3 Parking
- T7 Access
- T18 Road Safety

Supplementary Planning Guidance 1 & 2

London Plan:

- 3.3 Increasing Housing Supply
- 3.4 Optimising Housing Potential
- 3.5 Quality and Design of Housing Developments
- 3.8 Housing Choice
- 3.9 Mixed and Balanced Communities
- 5.3 Sustainable Design and Construction
- 5.13 Sustainable Drainage
- 6.9 Cycling
- 6.13 Parking
- 7.1 Building London's Neighbourhoods and Communities
- 7.2 An Inclusive Environment
- 7.3 Designing out Crime
- 7.4 Local Character
- 7.6 Architecture
- 7.21 Trees and Woodland
- 8.3 Community Infrastructure Levy

The Mayor's Housing Supplementary Planning Guidance.

National Planning Policy Framework.

Planning History

There is no planning history associated with the site.

Conclusions

The main considerations in assessing the proposal are the impact of the development upon the character of the area and immediate vicinity, the level of development proposed, the level of parking provision and the impact upon road safety, the amenities of neighbouring residents and the quality of accommodation for future residents.

Principle of demolition and redevelopment

The National Planning Policy Framework (NPPF) states that planning should encourage the effective use of land by reusing land that has been previously developed (brownfield land) provided that it is not of high environmental value. The NPPF defines "previously developed land" as: "Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure".

London Plan Policy 3.4 states that development should optimise housing output for different types of location taking into account local context and character, design principles and public transport capacity.

In view of the fact that the application site is currently in residential use no objection is raised to the continued use of the site for residential purposes providing a suitable residential environment for future residents is put forward.

Layout, siting and design and aesthetic impact of the proposal on the character and appearance of the street scene and area in general

The applicant proposes to demolish the existing bungalow and erect a three storey block which will be similar in height to the neighbouring residents at No. 78 Madeira Avenue.

A side space of 1m is afforded to both boundaries and this is considered to meet the requirements of Policy H9 (Side Space) contained within the Council's UDP. Indeed the design of the proposed apartments have been designed to match the height of the neighbouring house at No.78 (although it will be slightly lower) and those along the road to limit the impact on the character and appearance of the street scene. The development would sit in roughly the same footprint of the existing bungalow but would be 3.1m deeper at the rear and 4m towards the front (closest to the boundary with No. 72). The Design and Access Statement states that the aim of the proposal is to look like a large single house with two integral garages (one to act as an additional parking space for the penthouse apartment). The other garage would house cycle storage for all of the apartments. A refuse store is located on the side elevation to the left of the main entrance.

The design that has been put forward is generally in keeping with the surrounding street scene and the architectural detail of the property has been taken from the neighbouring properties to maintain continuity of design and blend in with the street scene.

The front elevation proposes an open porch, two garage doors, windows and skylights in the roof. The flank elevations show several sets of windows which are to be obscure glazed. The rear elevations due to the gradients of the site is two storey with room in the roof construction which consists to two dormers and Juliet balconies.

Standard of Accommodation

Policy 3.5 of the London Plan states the minimum internal floorspace required for residential units on the basis of the level of occupancy that could reasonably be expected within each unit. Table 3.3 of the London Plan requires a Gross Internal Area of 61sqm for a two bedroom three person flats.

The proposal achieves a density of 65 dwellings per hectare. The area has a PTAL level of 1b with a suburban character and an expected density range would be between 40-65 dwellings per hectare. The development proposal is at the upper limit of these ranges and within the context of the area is not considered to represent an overdevelopment of the site.

With new residential schemes, developers will be expected to provide sufficient amenity space to meet the needs of residents. The rear garden area is considered a sufficient communal garden area.

Trees

No comments have been received from the Council's Tree Officer in respect of the development although it is noted from the drawings that no trees in the rear garden (which are all covered by a blanket TPO) are to be removed. The agent has submitted a Topographical Survey.

A street tree is located to the front of the property would need to be moved to allow off-street parking to occur. Having contacted the Council's Street Trees department it was concluded that the removal of the street tree would be permissible providing the costs of the tree removal and reinstatement costs of compensatory planting were agreed in full by the developer. The total cost would total £1,880. The Council would seek to replant in several suitable locations nearby to compensate for the loss of the trees amenity value.

Parking

No Highways objections are raised subject to conditions.

The development is located in an area with a PTAL rating of 1b (on a scale of 1-6, where 6 is the most accessible) and lies just outside of Bromley Town Centre Controlled Parking Zone (CPZ). The development allows for 1 off road car parking space per unit. There is also a garage that will be used by apartment 3

(Penthouse) and cycle storage. Also, there is a tree and lamp column outside the site.

The Council's street lighting Officer was contacted about removing the lighting column located on the street in front of the property. Further to a site visit of the lamp column, the Council's Technical Officer advised that the lamp column should not be moved although indicated that the cost to remove it would be in the region of £1,500 (payable by the developer) and in this case it could only go half a metre to the left of the existing position with the consent of the neighbour. As a consequent the lamp column will not be moved.

Railings, Boundary Walls and Other Means of Enclosure

The existing boundary enclosures will be maintained and all trees to the rear will remain. To the front a paved driveway is proposed and a boundary fence/gate is proposed to either side of the property to allow access via the flank elevations.

Refuse storage

London Plan Policy 5.16 requires London Boroughs to minimise waste and encourage recycling.

Bin storage and recycling is to be located to the left of the property.

Cycle parking

London Plan Policy 6.9 states that developments should provide secure, integrated and accessible cycle parking facilities in line with the minimum standards set out in Table 6.3. This table states that residential developments should provide 1 cycle space for 1 and 2-bed units and 2 cycle spaces per 3 or more bed units.

Cycle storage (one per unit) is proposed to be located within one of the intergral garages to the front of the property.

Impact of the proposal on the amenities of neighbouring occupiers

Unitary Development Plan policies BE1 and H9 seek to protect neighbouring residential properties against the loss of amenity resulting from reduced daylight, sunlight and / or overshadowing.

A large number of objection letters have been received from local residents. The main impact of the development will be to the neighbours located either side of the property, No.78 and No.72 Madeira Avenue. The proposal will add considerable bulk and massing over the existing bungalow which is only single storey. The height of the development will be approximately 1m higher and approximately 0.3m lower than the height of No.78. The depth when viewed from No.78 will extend by approximately 5m to the rear and 2.5m to the front. From No.72 the depth will increase by 7m to the rear and stay roughly the same at the front. The distance to the boundary of the flank elevations is 1m and a total gap of 7.3m separates No.74 & No.78 and 4m separates No.74 & 72 (owing to side extensions at both properties). The front elevation will overlook the rear garden of No.22.

Given the size of the plot and the increase to the footprint of the property to the front and rear the development appears acceptable. There will be additional bulk added to the building particularly to the rear but note there is mature landscaping to both boundaries.

Summary

The proposal is considered to be a well-designed scheme that reflects the general pattern of development which is of varying design and vernacular. The appearance of the building would be that of a three storey development with accommodation in the roofspace which seeks to blend in with the existing street scene. The level of separation to the boundaries is acceptable and sufficient distance to neighbouring properties exists to not cause detrimental harm to daylight or outlook of adjoining residents. The parking levels are also considered appropriate for the number of units proposed.

It is clear that there will be an impact on the adjacent properties and streetscene as a result of this proposal and a judgement needs to be made about the whether the impact is unduly harmful. Accordingly, Members will need to take account of the plans that have been submitted for this site and the comments made by residents during the consultation period. On balance, Members may consider that this application is acceptable.

Background papers referred to during production of this report comprise all correspondence on the file ref. 14/05019 set out in the Planning History section above, excluding exempt information.

RECOMMENDATION: PERMISSION

Subject to 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 | ACA07 | Boundary enclosure - no detail submitted |
| | ACA07R | Reason A07 |
| 4 | ACB12 | Tree - details of excav. for foundations |
| | ACB12R | Reason B12 |
| 5 | ACC01 | Satisfactory materials (ext'nl surfaces) |
| | ACC01R | Reason C01 |
| 6 | ACC07 | Materials as set out in application |
| | ACC07R | Reason C07 |
| 7 | ACD02 | Surface water drainage - no det. submitt |
| | AED02R | Reason D02 |
| 8 | ACH03 | Satisfactory parking - full application |
| | ACH03R | Reason H03 |
| 9 | ACH16 | Hardstanding for wash-down facilities |
| | ACH16R | Reason H16 |
| 10 | ACH18 | Refuse storage - no details submitted |

- ACH18R Reason H18
- 11 ACH23 Lighting scheme for access/parking
ACH23R Reason H23
- 12 ACH29 Construction Management Plan
ACH29R Reason H29
- 13 ACH32 Highway Drainage
ADH32R Reason H32
- 14 No loose materials shall be used for surfacing of the parking area.
ACC01R Reason C01
- 15 ACI01 Restriction of all "pd" rights
ACI03R Reason I03
- 16 ACI09 Side space (1 metre) (1 insert)
ACI09R Reason I09
- 17 Before the development hereby permitted is first occupied, the proposed window(s) in the first and second floors of the north and south elevations shall be obscure glazed in accordance with details to be submitted to and approved in writing by the Local Planning Authority and shall subsequently be permanently retained as such.
ACI12R I12 reason (1 insert) BE1
- 18 ACI21 Secured By Design
ACI21R I21 reason
- 19 ACK01 Compliance with submitted plan
ACK05R K05 reason

INFORMATIVE(S)

- 1 You are advised that this application may be liable for the payment of the Mayoral Community Infrastructure Levy under the Community Infrastructure Levy Regulations (2010) and the Planning Act 2008. The London Borough of Bromley is the Collecting Authority for the Mayor and this Levy is payable on the commencement of development (defined in Part 2, para 7 of the Community Infrastructure Levy Regulations (2010)). It is the responsibility of the owner and /or person(s) who have a material interest in the relevant land to pay the Levy (defined under Part 2, para 4(2) of the Community Infrastructure Levy Regulations (2010)).

If you fail to follow the payment procedure, the collecting authority may impose surcharges on this liability, take enforcement action, serve a stop notice to prohibit further development on the site and/or take action to recover the debt.

Further information about Community Infrastructure Levy can be found on attached information note and the Bromley website www.bromley.gov.uk/CIL

- 2 You should contact extension 4621 (020 8313 4621 direct line) at the Environmental Services Department at the Civic Centre with regard to the laying out of the crossover(s) and/or reinstatement of the existing crossover(s) as footway. A fee is payable for the estimate for the work which is refundable when the crossover (or other work) is carried out. A

form to apply for an estimate for the work can be obtained by telephoning the Highways Customer Services Desk on the above number.

- 3 Before the use commences, the Applicant is advised to contact the Pollution Team of Environmental Health & Trading Standards regarding compliance with the Control of Pollution Act 1974 and/or the Environmental Protection Act 1990. The Applicant should also ensure compliance with the Control of Pollution and Noise from Demolition and Construction Sites Code of Practice 2008 which is available on the Bromley web site.
- 4 If during the works on site any suspected contamination is encountered, Environmental Health should be contacted immediately. The contamination shall be fully assessed and an appropriate remediation scheme submitted to the Local Authority for approval in writing.
- 5 In order to check that the proposed storm water system meets our requirements, we require that the following information be provided:
 - o A clearly labelled drainage layout plan showing pipe networks and any attenuation soakaways.
 - o Where infiltration forms part of the proposed storm water system such as soakaways, soakage test results and test locations are to be submitted in accordance with BRE digest 365.
 - o Calculations should demonstrate how the system operates during the 1 in 30 year critical duration storm event plus climate change.
- 6 With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777.
- 7 Thames Water will aim to provide customers with a minimum pressure of 10m head (approx. 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.
- 8 Street furniture/Statutory Undertakers' apparatus "Any repositioning, alteration and/or adjustment to street furniture or Statutory Undertakers apparatus, considered necessary and practical to help the modification of vehicular crossover hereby permitted, shall be undertaken at the cost of the applicant.

Application:14/05019/FULL1

Address: 74 Madeira Avenue Bromley BR1 4AS

Proposal: Demolition of existing bungalow and replacement building comprising 5 x 2 bedroom apartment and off road car parking.



"This plan is provided to identify the location of the site and should not be used to identify the extent of the application site"

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