

SECTION '2' – Applications meriting special consideration

Application No : 12/03024/OUT

Ward:
Bromley Town

Address : Billingford Elstree Hill Bromley BR1 4JE

OS Grid Ref: E: 539378 N: 170463

Applicant : Southeast Developers

Objections : YES

Description of Development:

Demolition of existing dwelling and erection of four storey block (including basement) comprising of four 2 bedroom and three 1 bedroom flats and provision of new vehicular access and car parking spaces off Kirkstone Way

Key designations:

Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
Green Chain Walk
London City Airport Safeguarding
London City Airport Safeguarding Birds
Tree Preservation Order

Proposal

The application is in outline seeking approval for access, layout and scale. Appearance and landscaping are reserved matters for which subsequent approval will be sought.

It is proposed to demolish the existing single dwelling house and erect in its place a four storey block comprising four 2 bedroom and three 1 bedroom flats and 7 car parking spaces.

The footprint of the proposed block is irregular in shape and commensurate in terms of size with that of the existing dwelling. The minimum distance retained to the northern boundary with Kirkstone Way will remain at 2.2m. To the western rear boundary the building footprint will extend 1m closer than at present to within c. 2m of the boundary with 'the chalet'. The flank to flank distances between the two buildings will be approx. 4.6m. To the eastern front and southern flank elevations the building lines will be approx. retained.

Unlike the existing dwelling the proposed block will have lower ground floor accommodation in the form of one 1 bedroom and 1 two bedroom units and also 1 one bedroom flat within the loft space.

Location

The area is characterised by a variety of predominantly detached dwellings which range from modest bungalows to larger detached houses all of which is located within an attractive natural and unifying suburban woodland setting. Elstree Hill is an unmade road and the site measures 0.09 hectares. The proposal would equate to approx. 22hrha.

The plots in general tend to vary in size and shape and the topography of the land which falls from north to south-west together results in an interesting townscape. 'Billingford' sits in an elevated position in a prominent corner plot at the junction with Kirkstone Way.

To the northern boundary Billingford is bounded by Yew Tree Lodge a two storey dwelling. Kirkstone Way a relatively narrow vehicular access separates the two plots. To the west, The Chalet a modest bungalow falls within 2.5m of the shared boundary. No.27 Elstree Hill a two storey dwelling is located to the south-western boundary of the application site and sits on one of the smaller plots with rear garden depth c.7m.

The neighbouring Coniston Road has an entirely different character and many of the properties on this road are modest terraced houses in much smaller regular shaped plots.

The site itself is of an irregular shape and roughly falls into two parts, the higher section which comprises the main building and surface parking / hardstanding area and the lower section garden section which is accessed via steps.

Comments from Local Residents

Nearby owners/occupiers were notified of the application and representations were received including a letter from Ravensbourne Valley Preservation Society (RVPS) which can be summarised as follows:

- RVPS: proposal does not demonstrate a high standard of design with minimal internal spaces
- basement flats are poorly lit and it is anticipated that a lime tree to the south of the proposed block may need to be pruned however, this tree is also required to screen No.27 Elstree Hill, it is quite clear that the basement accommodation is inappropriate
- there is no mention in the application of the use of renewable energy sources or use of recycled water
- windows in the southern flank have been obscure glazed but as they can be opened there is the potential for overlooking,
- the sheer height and mass would be overbearing particularly to No.27 Elstree Hill
- proposal has limited amenity space
- overdevelopment of the site
- concerns regarding the impact on trees

- Kirkstone Way is at present a narrow lane with no footpaths and provides vehicular access for 3 properties the proposal would result in traffic congestion up and down this road and also at the top of Elstree Hill
- proposed development is not in keeping with the other properties in the road in Elstree Hill and Kirkstone Way being made up of private individual houses many of which are older and provide character interest and variety
- proposal represents a massive increase in the volume of accommodation
- the idea of lighting the parking area to “secure by design” standards would result in a gross over provision of light in this area
- proposal due to its elevated position would result in many properties being overlooked
- the visual impact of the proposal is completely out of context and character with the neighbourhood
- proposal would be detrimental to the Green Chain Walk which is well used by many walkers
- proposal will harm the open and rural character of the locality
- a four storey development on this site will increase its dominance and over bearing impact on neighbouring properties
- removal or thinning of vegetation of trees and vegetation will compromise the wooded nature of the street
- there is not any similar flatted development in the vicinity and the proposal would set an undesirable precedent for development on a similar scale in the future

Comments from Consultees

Environmental Health – (Housing)

Several bedrooms are shown as 7 Sq.m only just above the statutory minimum size for a bedroom. Development will need to fully comply with or exceed building regulation standards in respect of means of Escape in case of Fire , Fire separation and sound insulation between units and thermal efficiency.

Adequate natural light and ventilation appears to be provided to all rooms. In respect of means of Escape in case of Fire this would be dealt with under Building Regulation approval however the planned Means of Escape appears to be satisfactory with means of Escape within each flat being separated from individual rooms onto a common protected escape staircase which leads to a place of safety.

Environmental Health (Pollution)

The applicant has not completed the contaminated land section of the application form and should confirm there is no known contamination on the site

By e-mail dated 16th January the applicant’s agent has confirmed the history of the site as residential and as such “No contamination” is expected.

Highways

Elstree Hill is an unadopted road which is located within an area with low PTAL rate of 1b (on a scale of 1-6, where 6 is the most accessible).

Vehicular access is from Kirkstone Way via a new vehicular crossover.

Car parking – Seven car parking spaces are indicated on the submitted plans; this is satisfactory.

Seven cycle spaces are required and shown on amended plans.

The applicant should be advised that the area created outside the existing gates is unacceptable. Not only has it created an obstruction to the highway in terms of alteration to the surface levels, it has also created a level by the entrance between the gates and pier that, should the street be made up to adoptable standards, is unlikely to be acceptable in highway terms. Therefore should the street be made up by the Council in the future any changes to the levels of the drive to meet the future highway level would have to be at the expenses of the owner of Billingford.

Drainage – No objections subject to conditions.

contrary to answer given in the application form there is no public surface water sewer close to the site. Surface water will therefore have to be drained to soakaways.

Please impose Condition D02

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.

Cleansing – No objections raised

Trees

The application is accompanied by a tree survey and arboricultural impact assessment and concur with the findings. The trees at the site are protected by a TPO made in 1967 by the London Borough of Lewisham and they would not be directly affected by the proposal. If permission is to be recommended please impose standard condition B18 and B19 together with a landscaping condition.

Planning Considerations

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

BE1 Design of New Development
H7 Housing Density and Design

H9 Side Space
NE7 Development and Trees
T18 Road Safety

SPG1 General Design Principles
SPG2 Residential Design Guidance

Planning History

Under planning ref. 08/00065, retrospective permission was refused for a single storey side and rear extension. The application was refused for the following reason:

The proposal would be over-dominant and would be detrimental to the amenities of the occupiers of No. 27 Elstree Hill and that which they might reasonably expect to be able to continue to enjoy by reason of visual impact, overlooking and loss of privacy in view of its size and depth of rearward projection on this elevated site; contrary to Policies BE1 and H8 of the Unitary Development Plan.

Under ref. 08/00879, planning permission was granted for the retention and modification of the boundary wall/fence and entrance gates and piers, with a time limit of approx. 2 months given for compliance imposed by planning condition. This time limit was not complied with and the permission expired.

Under ref. 08/04155, planning permission was sought for an amended proposal to that approved under ref. 08/00879, with a greater height overall. This was refused for the following reason:

The boundary enclosure, by reason of its excessive height, represents an inappropriate form of enclosure, detrimental to the visual amenity of the streetscene and of the character of the area, thereby contrary to Policies BE1 and BE7 of the Unitary Development Plan.

Under planning ref. 08/00879, modification/ part retention of boundary wall fence and entrance gates was granted permission.

Planning permission was subsequently granted for planning ref. 09/03300 for a scheme similar to that granted permission under ref. 08/00879.

Conclusions

From a technical point of view the proposal would, based, upon the feedback from consultees appear to meet with the required standards. Whilst this gives an important indication as to the acceptability of specific aspects of a scheme, it does not inform the overall picture of whether a proposed development is satisfactory.

The footprint of the proposed block is broadly similar to that of the existing dwelling although crucially it does extend approx. 0.5m closer to the sensitive north-western boundary with The Chalet. The height of this part of the block has been restricted

to single storey in an effort to lessen its impact. The height of the proposed block would extend to approx.9.7m.

Yew Tree Lodge is on a c.0.6m higher ground level and so the properties would appear in the street scene at similar max. heights. The ground levels fall away to the south-west and so the visual impact of the proposed block when view from No. 27 Elstree Hill would be particularly pronounced. No.27 has a shallow rear garden which would accentuate the overbearing nature and impact on the amenity of this property in terms of loss of privacy.

Whilst efforts have been made to reduce the bulk of the proposed block closest to the boundary with The Chalet the overall scale of the building 0.5m closer to the boundary with this property is not considered acceptable.

The vast majority of the upper level of the site will be taken up with the building footprint, car parking and hard surfaces. The garden / amenity space exists at a lower level [accessed via steps] and not homogenously as one. In this context the upper part of the site appears cramped and the number of units proposed and necessary parking etc. is considered to be the primary reason for this. The main access to the site will be via Kirkstone Way and no longer Elstree Hill as a result most car parking will be hidden from the main Elstree Hill Street Scene view behind proposed boundary treatment and landscaping. However, within the site the number of parking spaces and relationship to the main building is particularly close.

The existing dwelling was measured at 8.6m in height, the measurement was taken from a point outside the front door, from the same point the proposed block would be 0.575m higher. The applicants agent has stated that the application is in outline and elevations are for illustrative purposes and that there would be scope reduce the height. However, scale is one of the matters being considered and for which approval is sought, therefore there would be no scope to reduce the height a suggested.

On balance it is considered that the proposal represents an overintensive use of the site that would give rise to development that was overbearing and visually dominant in relation to neighbouring properties.

Background papers referred to during production of this report comprise all correspondence on file ref. 12/03024, excluding exempt information.

as amended by documents received on 30.01.2013 31.01.2013 18.04.2013

RECOMMENDATION: PERMISSION BE REFUSED

The reasons for refusal are:

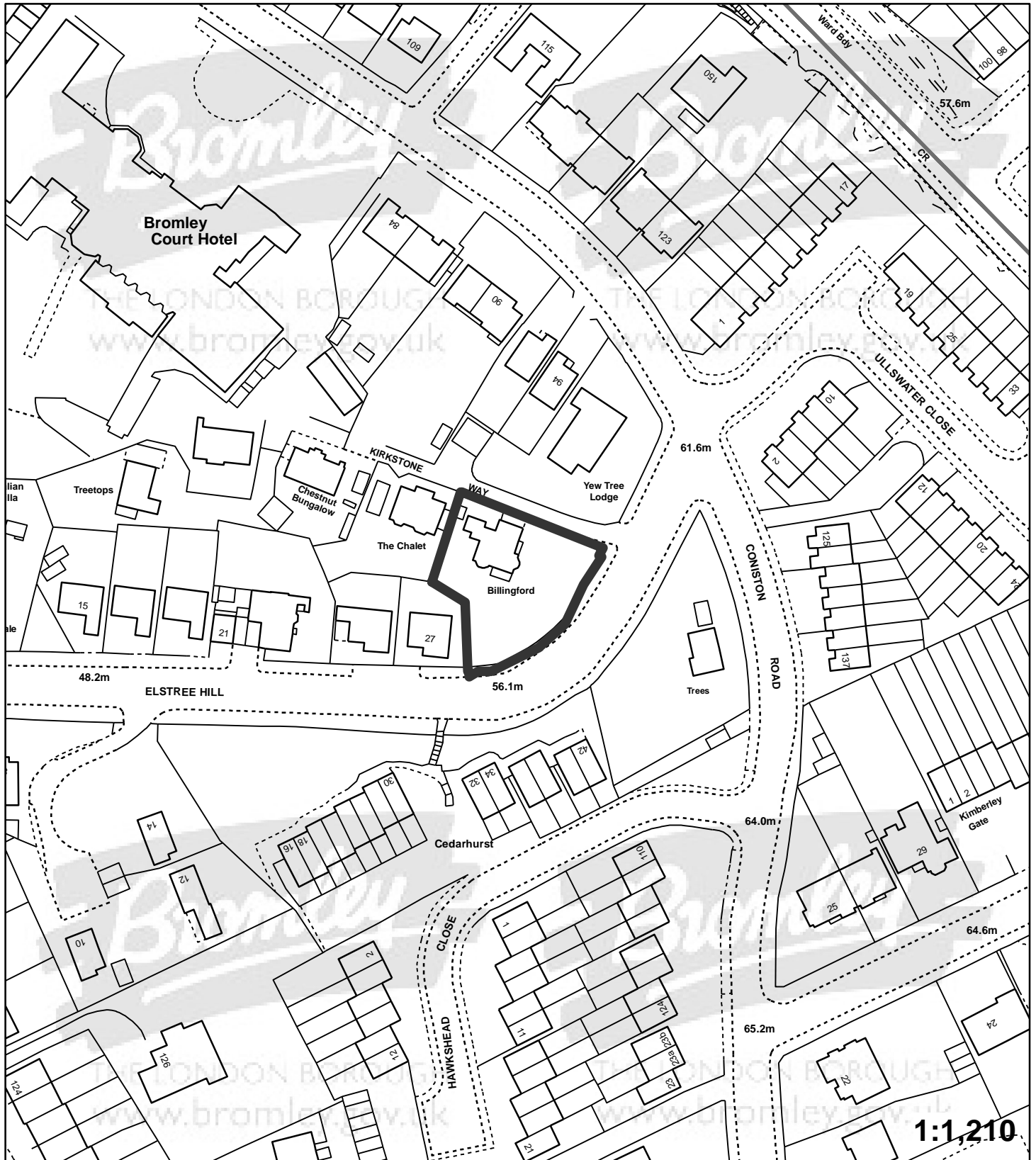
- 1 The proposal would result in an overintensive use of the site resulting in a visually dominant and overbearing form of development out of character with the prevailing form of development in the Elstree Hill thereby contrary to Policies H7 and BE1 of the Unitary Development Plan.

- 2 The proposal would by reason of its height and scale be harmful to the residential amenities that occupants of surrounding residential properties might reasonably expect to continue to enjoy by reason of loss of visual impact thereby contrary To Policies BE1 and H7 of the Unitary Development Plan.

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"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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