

**LONDON BOROUGH OF BROMLEY**

**TOWN PLANNING  
RENEWAL AND RECREATION DEPARTMENT**

**DELEGATED DECISION on 1st September 2015**

**15/02592/FULL1**      **19 Ullswater Close**  
**Stephanie**            **Bromley**  
**Gardiner**             **BR1 4JF**

**Description of Development**

Demolition of the existing garage to the side of 19 Ullswater close and the construction of a three storey 3 bedroom house and associated parking.

**Proposal**

Demolition of the existing garage to the side of 19 Ullswater close and the construction of a three storey 3 bedroom house and associated parking.

**Location**

The application site sits adjacent to a three-storey end of terrace residential dwelling, which is set within a cul-de-sac development. The surrounding properties are of an identical design and are residential in character. The property is not located within a conservation area, however there are a number of Trees located to the north of the site which are subject to Tree Preservation Orders.

**Consultations**

Nearby owners/occupiers were notified of the application and representations were received which can be summarised as follows:

- o Properties living opposite No 19 currently have problems accessing their driveways. The proposed house will make it almost impossible to access neighbouring driveways.
- o The proposal will have a visual impact on the properties looking towards the side of No 19. It would appear too dense.
- o A dwelling here would look out of character next to the other dwellings
- o Overshadowing and loss of light
- o Drainage and water issues
- o Impact on the protected trees and wildlife in the area
- o Garden grabbing
- o Overdevelopment. Too many houses in such a compact space
- o Precedent will be set if the application is allowed.
- o Increase in the demand for on-street parking
- o Impossible to match existing brickwork.
- o Noise and disturbance from a new dwelling and construction

Highways - The site is located in an area with PTAL rate of 2 (on a scale of 1 - 6, where 6 is the most accessible).

Internal areas of the donor house are not surveyed so its size in terms of bedrooms is unknown but I take it as 3 bedroom house as all units in this cul de sac are all similar construction i.e. town houses with 3 bedrooms each.

There are three car park spaces for existing house i.e. 2 in the garage and 1 in the drive. Two parking spaces will be lost as a result of demolition of the existing garages to the side and construction of a three storey 3 bedroom house, leaving 1 car space for the donor house. Also only 1 car park space is proposed for the new house. Ideally there should be 2 car spaces each or 3 car park spaces between the two houses as per UDP. The parking provision is sub-standard and I am of the opinion that that both donor and new house occupiers will be likely to have two cars each and there is not much space for off street parking so I would recommend refusal of the application

Environmental Health - have considered the above and I have no objections in principle however I would recommend that the following informatives are attached:

Before works commence, 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.

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.

Tree Officer - No comments received

### **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  
H1 Housing Supply  
H7 Housing Density and Design  
H9 Side Space  
T3 Parking  
T18 Road Safety  
NE7 Development and Trees

London Plan Policies:

3.4 Optimising Housing Potential  
3.5 Quality and Design of Housing Developments  
7.4 Local Character  
7.6 Architecture

Supplementary Planning Guidance 1 and 2

The Mayor of London's Supplementary Planning Guidance: Housing

Planning History

Ref. Number	Description	Status	Decision Date
87/00641/FUL	ATTACHED GARAGE	PER 08.04.1987	

## Conclusions

The main issues to be considered in respect of this application are:

- o Principle of Development
- o Design
- o Standard of Residential Accommodation
- o Highways and Traffic Issues
- o Impact on Adjoining Properties

The application site was visited by the case officer and the aims and objectives of the above policies, national and regional planning guidance, all other material planning considerations including any objections, other representations and relevant planning history on the site were taken into account in the assessment of the proposal.

### Principle of Development

The National Planning Policy Framework (NPPF) states in Paragraph 49 that housing applications should be considered in the context of the presumption in favour of sustainable development.

The NPPF sets out in paragraph 14 a presumption in favour of sustainable development. In terms of decision-making, the document states that where a development accords with a local plan, applications should be approved without delay. Where a plan is absent, silent or relevant policies are out of date, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits or specific policies in the Framework.

The document also encourages the effective use of land by reusing land that has been previously developed (brownfield land) and excludes gardens from the definition of previously developed land.

Policy H7 of the UDP sets out criteria to assess whether new housing developments is appropriate subject to an assessment of the impact of the proposal on the appearance/character of the surrounding area, the residential amenity of adjoining and future residential occupiers of the scheme, car parking and traffic implications, community safety and refuse arrangements.

The site is located in a residential location in a residential area where the Council will consider infill development provided that it is designed to complement the character of surrounding developments, the design and layout make suitable residential accommodation, and it provides for garden and amenity space. Any adverse impact on neighbouring amenity, conservation and historic issues, biodiversity or open space will need to be addressed. Therefore the principle of an additional dwelling is subject to an assessment of the impact of the proposal on the appearance/character of the surrounding area, the residential amenity of adjoining and future residential occupiers of the scheme, car parking and traffic implications, sustainable design and energy and refuses arrangements.

## Design, Siting and Layout.

The application site is located on a prominent corner plot within the Cul-de-sac and is highly visible when entering Ullswater Close, due it is located at the head of the road. The site currently houses a single-storey garage, which is associated with No 19 Ullswater Close. The single-storey nature of the garage and subsequent set back of the main bulk of No 19 allows for an open and unhindered view of the trees and green space to the rear. This space also provides a buffer between the bulk of the adjoining terrace and that of the neighbouring terrace, which is situated at a right angle to the site. This buffer is considered to contribute to local visual amenity, particularly given its prominent and exposed position.

Policy H9 requires proposals of two or more storeys in height to be a minimum of 1m from the side boundary, which has been provided in this case. However, H9(ii) states that 'where higher standards of separation already exist in residential areas, proposals will be expected to provide a more generous side space. This will be the case on some corner properties'. Para 4.48 explains that the Council consider it important to 'prevent a cramped appearance and is necessary to protect the high spatial standards and visual amenity which characterise many of the Borough's residential areas'. The bulk of the new dwelling has been set back a minimum of 1m from the side boundary. However its overall size, design and scale, whilst similar to the adjoining terrace, would represent a significant encroachment onto the open setting of the close. This would negatively affect the streetscape value of the existing layout, which contributes to the intrinsic local spatial and architectural townscape of the immediate locality.

The proposal is similar in appearance to the neighbouring terrace, but has been set back from the front elevation in order to provide a degree of subservience. It would incorporate features found within the neighbouring terrace including the fenestration arrangement and forward projecting garage, which provides a strong sense of rhythm within the immediate locality. However the width of the front drive and front garden, together with the location of the front door, which would essentially open onto the pavement, would appear out of character with neighbouring dwellings. The dwelling would therefore appear cramped within this context.

## Standard of Residential Accommodation

The London Plan and London Plan Housing SPG sets out minimum floor space standards for dwellings of different sizes. These are based on the minimum gross internal floor space requirements for new homes relative to the number of occupants and taking into account commonly required furniture and spaces needed for different activities and moving around, in line with Lifetime Home Standards. The quality of the proposed accommodation needs to meet these minimum standards.

Policy BE1 in the Adopted UDP states that the development should respect the amenity of occupiers of future occupants.

The applicant describes the proposed dwelling as a 'three bedroom house' however there is no indication of the intended occupancy. However, the design and access statement explains two of the bedrooms are intended as doubles and the third bedroom would be a single room. The level of occupancy could therefore equal 5 people. Offices have scaled from the plans, which show that the dwelling would have a GIA of 94.27sq.m. This is below the minimum baseline standard of 102sqm set out within Annex 4 of the Mayor's Housing SPG for a 3b5p dwelling, split over 3 storeys. However,

it would just comply with minimum standard for a 3b4p dwelling, divided over 3 storeys which should have a GIA of 93sqm. However, officers have also measured each of the rooms and the proposed double bedrooms are calculated to be 11.5sqm. Just below the Good Practice standard of 12sqm for a double bedroom.

All habitable rooms would receive an adequate level of ventilation, light and outlook.

The scheme would provide secure and private amenity space to the rear of the property.

The applicant has also provided a Lifetime Homes Statement and drawings outlining how the development would comply with each of the criteria. This is considered to be acceptable.

#### Car parking

The development would include the provision of one off-street parking space. However this would also result in the loss of one large garage associated with No 19. Policy 6.13 of the London Plan (2015) states that new residential development in areas with a PTAL of 1-2 should provide 1.5 - 2 parking spaces. The Council's Highways officer has reviewed the application and raised objections with the level of parking provision, which is considered to be below the minimum requirements of the London Plan and UDP. The officer has therefore recommended refusal on this basis and the subsequent impact on on-street parking.

#### Impact on neighbouring dwellings

The proposed dwelling would be located at the end of a row of terraces. The primary impact would therefore be on the adjoining dwelling at No 19 Ullswater and the neighbouring terrace at No 15-17 Ullswater, which is located at a right angle to the application site. The proposed dwelling would be set back from the front elevation of the of No 19 but would match the rear building line. A single storey extension would be located to the rear of the property; however the depth of this projection would match the existing conservatory at No 19. The visual impact on No 19 is therefore considered to be minimal.

No 15-19 Ullswater currently face the blank gable end of No 19 Ullswater, however this is set back from the front elevation of this terrace by approximately 21m. The mass of a three-storey dwelling in this location would therefore be substantially closer to these neighbouring dwellings, leading to an increased sense of enclosure and visually dominant form of development. This would be further exacerbated by the blank and unbroken mass of the three storey gable end.

Given the orientation of the site and location of the development in relation to neighbouring dwellings no significant loss of light or overshadowing is anticipated.

The proposal would include windows within the front and rear elevation, which would look out onto highway and existing garden land where there is already an established degree of overlooking. No significant loss of privacy or overlooking is therefore anticipated.

#### Trees

There are a number of trees located to the side/rear of the site that are subject to Tree Preservation Orders. The applicant has provided an Arboricultural report in support of the application. Only one small apple tree (T9) located within the front garden would be removed under the current proposal. No objections have been received from the Council's Tree officer and subject to subsequent protection measures, which could be secured by way of a condition no objections are raised in this respect.

#### Cycle parking and refuse storage

The applicant has provided the location for refuse and cycle storage. However no details have been provided regarding their means of enclosure. These details could be conditioned if the application were considered acceptable.

#### Sustainability

Policy 5.3 Sustainable Design and Construction of the London Plan states that the highest standards of sustainable design and construction should be achieved in London to improve the environmental performance of new developments and to adapt to the effects of climate change over their lifetime. Policy 5.2 Minimising Carbon Dioxide Emissions of the London Plan states that development should make the fullest contribution to minimising carbon dioxide emissions in accordance with the hierarchy; Be Lean: use less energy; Be clean: supply energy efficiently and Be green: use renewable energy.

The applicant has provided a sustainability statement outlining energy saving measures that would be used for the construction of the dwelling.

The application site was visited by the case officer and the aims and objectives of the above policies, national and regional planning guidance, all other material planning considerations including any objections, other representations and relevant planning history on the site were taken into account in the assessment of the proposal.

### **Decision**

Application Refused

**For conditions or grounds of refusal please refer to the Decision Notice**