

LONDON BOROUGH OF BROMLEY

TOWN PLANNING RENEWAL AND RECREATION DEPARTMENT

DELEGATED DECISION on 17th January 2017

16/04910/FULL1

**Stephanie
Gardiner**

**Upfield
Hillbrow Road
Bromley
BR1 4JL**

Description of Development

Demolition of the existing four bedroom detached dwelling and redevelopment of the site to provide 6no. two bedroom apartments & 1 bedroom unit

Proposal

The application seeks consent for the demolition of the existing residential dwelling and the construction of a block of flats comprising 6 two bedroom and 1 one bedroom flat.

A total of 10 parking spaces are proposed to the front of the site.

Location

The application site is located on the eastern side of Hillbrow Road, approximately midway between the junctions of Hillbrow Road and Bromley Hill to the north east and Warren Avenue to the Southwest.

The site sits within a typically suburban area with a mix of dwelling sizes and types built around 1960's/1970's. The houses to the north are larger detached houses, whilst to the west slightly smaller detached units whilst to the south are linked terrace town houses.

Consultations

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

- o Objections to increased density on the site
- o Will increase traffic and the road is already about to have a large development on the adjacent plot (9 flats) and the 6 already proposed.
- o Increase in noise
- o Loss of privacy
- o Traffic hazard at the junction of Hillbrow Road and Coniston Road due to parked vehicles obscuring a drivers view
- o An increase designed to squeeze out a little more profit
- o Damage to already ravaged road
- o Increased congestion, disturbance, accidents, noise.
- o Previous objections have been ignored

Highways - This application differs from the previously approved 16/00295 by the addition of a bedsit unit.

10 car parking spaces are proposed which meets London Plan standards for the location.

Only 8 cycle spaces are shown whereas 13 spaces should be provided to meet London Plan standards. I believe this detail was the subject of a condition previously. The arrangement now shown appears tight in terms of manoeuvring to and from the proposed cycle shelter and, as above, does not provide sufficient number of spaces. A revised detail for this should thus be requested.

Subject to a satisfactory resolution in terms of cycle parking

Please apply the following to any permission

H03
H16
H19
H23
H26
H29
H32

Informative

Given the status of Hillbrow Road as an undopted street, the applicant is advised that the condition of the section of the street to which the proposed development has a frontage should, at the end of development, be at least commensurate with that which existed prior to commencement of development. The applicant should, therefore, note that before any works connected with the development are undertaken within the limits of the street, it will be necessary for them to obtain the agreement of the owner(s) of the sub-soil upon which Hillbrow Road is laid out.

Environmental Health -

I have considered the above and have no objections within the grounds of consideration.

The application site is within an Air Quality Management Area declared for NO_x. I would therefore recommend that the following conditions are attached:

The application site is located within an Air Quality Management Area declared for NO_x: In order to minimise the impact of the development on local air quality any gas boilers must meet a dry NO_x emission rate of <40mg/kWh (To minimise the effect of the development on local air quality within an Air Quality Management Area in line with NPPF p124 and Policy 7.14 of the London Plan)

and

An electric car charging point shall be provided to a minimum of 20% of car parking spaces with passive provision of electric charging capacity provided to an additional 20% of spaces. (To minimise the effect of the development on local air quality within an Air Quality Management Area in line with NPPF p124 and Policies 6.13 and 7.14 of the London Plan)

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.

Drainage - We accept the use of soakaway and green roof to be incorporated on part of the roof. Please impose D02 & D06.

Planning Considerations

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

UDP (2006)

- BE1 Design of New Development
- H1 Housing Supply
- H7 Housing Density and Design
- H9 Side Space
- T3 Parking
- T6 Pedestrians
- T7 Cyclists
- T11 New Accesses
- T18 Road Safety

London Plan (2015)

- 3.3 Increasing Housing Supply
- 3.4 Optimising Housing Potential
- 3.5 Quality and design of housing developments
- 3.6 Children and young peoples play
- 3.8 Housing choice
- 3.9 Mixed and balanced communities
- 5.2 Minimising carbon dioxide emissions
- 5.3 Sustainable design and construction
- 5.7 Renewable energy
- 5.13 Sustainable development
- 6.9 Cycling
- 6.10 Walking
- 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
- 7.5 Public realm
- 7.6 Architecture
- 7.15 Reducing noise and enhancing soundscapes

The following documents produced by the Mayor are also relevant:

- o Housing Supplementary Planning Guidance
- o The Mayors Economic Development Strategy
- o Providing for children and young peoples play and informal recreation SPG

- o Accessible London: achieving an inclusive environment
- o Sustainable Design and Construction SPG

Housing: Supplementary Planning Guidance. (2015)

DCLG: Technical Housing Standards (2015)

National Planning Policy Framework (NPPF) - Relevant chapters include Chapters 6, 7, 11, 12.

Emerging Plans

According to paragraph 216 of the NPPF decision makers can also give weight to relevant policies in emerging plans according to:

- o The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- o The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- o The degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF, the greater the weight that may be given).

As set out in paragraph 216 of the National Planning Policy Framework, emerging plans gain weight as they move through the plan making process.

The following emerging plans are relevant to this application.

Draft Local Plan

The Council is preparing a Local Plan and commenced a period of consultation on its proposed submission draft of the Local Plan on November 14th 2016 which closed on December 31st 2016 (under The Town and Country Planning (Local Planning) (England) Regulations 2012 as amended). It is anticipated that the submission of the draft Local Plan to the Secretary of State will be in the early part of 2017.

- Policy 1 Housing Supply
- Policy 3 Backland and Garden Land Development
- Policy 4 Housing Design
- Policy 8 Side Space
- Policy 30 Parking
- Policy 32 Road Safety
- Policy 37 General Design of Development
- Policy 73 Development and Trees
- Policy 79 Biodiversity and Access to Nature
- Policy 115 Reducing Flood Risk
- Policy 116 Sustainable Urban Drainage
- Policy 119 Noise Pollution
- Policy 122 Light Pollution
- Policy 123 Sustainable Design and Construction
- History

16/00295/FULL1 - Demolition of the existing four bedroom detached dwelling and the redevelopment to provide 6No. two bedroom flats. Members resolved to grant Planning Permission at Plans Sub Committee on the granted on the 2.6.16

16/00295/CONDIT Details of conditions submitted in relation to planning permission ref:16/00295/FULL1:

Condition 3 - Details of materials

Condition 5 - Details of windows

Condition 8 - Storage of refuse and recyclable materials

Condition 9 - Bicycle parking

Condition 10 - Light scheme

Condition 19 - Landscaping

Condition 20 - Slab levels

Condition 21 - Privacy screening

Condition 22 - Sample elevations and sections

Condition 24 - Boundary enclosures Approved 01.11.2016

16/00295/CONDT1 Details of conditions submitted in relation to planning permission ref:16/00295/FULL1:

Condition 11 - Existing road condition survey

Condition 12 - Construction Management Plan

Condition 13 - Surface water discharge

Condition 16 - Surface water drainage

Condition 17 - Drainage design Approved 09.09.2016

Of relevance is planning permission 14/04139 which relates to the immediate neighbouring property to the south of the site. Planning permission was granted for the demolition of existing dwelling and erection of a part two/part three storey building comprising 9 two bedroom apartments and 14 car parking spaces. A subsequent application was also approved at appeal under ref: 15/02144 for the demolition of existing dwelling and erection of a part two/ three storey building comprising 10 two bedroom apartments and 14 car parking spaces (revision to permission ref. 14/04139/FULL1). The neighbouring property has now been demolished and the site cleared in preparation for this development.

Conclusions

The primary issues in the assessment of this planning application are:

- o Principle of development
- o The design and appearance of the proposed residential development and its impact on the character and appearance of the area and locality
- o Impact on the amenity of neighbouring residents
- o Standard of accommodation
- o Highways and traffic issues
- o Trees on the site

It is noted than extant planning permission currently exists (ref: 16/00295) for the application site for the demolition of the existing dwelling and the erection of a block of 6 flats. The current applicant is almost identical to this extant permission, but now includes one additional one bedroom unit within the lower ground floor.

Principle of development

The application site consisted of a vacant and detached two/three storey dwelling, located towards the rear of the site. The area surrounding the site includes garden land and other residential development. The application seeks permission to redevelop the

site with the erection of three/four storey building comprising 7 flats together with the provision of 10 car parking spaces to the front.

The neighbouring property at Sunset Hill has recently been granted planning permission for the demolition of the existing bungalow and the erection of a block of 10 self-contained flats. There is also an extant permission for the erection of a block of 6 flats for the application site. In this case, the demolition of the building and redevelopment of the site is considered acceptable and would add to the Council's target to provide much needed housing within the Borough. The proposal therefore complies with Policy H1 of the UDP.

Design

Policy BE1 highlights the need for proposals to be of a high standard of design and layout completing the scale, form and materials of adjacent buildings.

Section 7 of the NPPF states that the Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development is indivisible from good planning and should contribute positively to making better places for people. As stated within the NPPF development should optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses (including incorporation of green and other public space as part of the developments) and support local facilities and transport networks; respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation.

The proposed development would have a boxy appearance which is a contrast to the existing surrounding residential properties which comprise a mixture of different architectural styles and types. However as stated above, the neighbouring site at Sunset Hill has recently been granted consent for a contemporary block of flats, which includes a brick and render finish. It is noted that the surrounding area has no prevailing character or architectural uniformity. In terms of materiality, the current scheme proposes a Camtech - Bromo/Fuji Blend brick for the external elevations, with aluminium capped roofs, slate finish for the core and large windows. Projecting balconies would be located on the front elevation. It is noted that the existing property at Sunset Hill has been demolished and the site cleared in preparation for ground works. Whilst this development is not yet in place, weight is given to the relationship of the proposed scheme with the neighbouring development, given the commencement of works.

At present the current dwelling is set back from the highway and includes a lower ground floor garage with first floor extension above, the bulk of the main dwelling is then set back at second floor level. This has the illusion of a three-storey building, however its overall massing and prominence within the street scene is far less pronounced due to this setback. The proposed scheme is sited closer to the front boundary of the site than the existing development, projecting forward of the neighbouring residential development at Romany Ridge by approximately 4m at its narrowest point. The built form would also be set closer to the side boundary but would retain a 1m set back to accord with Policy H9.

In terms of massing, the proposed building would be set further forward towards the highway than the previous dwelling and is bulkier in appearance. However, it has been stepped to range between three and four storeys in height to account for the level changes from north to south and east to west, along with the height of neighbouring

residential development at Romany Ridge. It has also been designed to sit back from the front elevation of the neighbouring Sunset Hill Development, which results in a more subservient appearance. The property would also be partially set into the ground to lessen its prominence within the streetscene. The overall appearance is considered to be bulky; however the changes in ground level, set back from the highway and partial screening by the neighbouring flatted development would go some way to alleviating this bulk. It is also noted that from an architectural and design perspective, the current proposal is an almost identical replica of the application approved under ref: 16/00295. The existing scheme included one unit and a storage area at ground floor level, however recent excavations at the neighbouring Sunset Hill site has enabled the applicant to marginally lower the land to the south. Accordingly, space can now be provided around the storage area to allow for the insertion of windows and amenity space and therefore convert it into a flat.

When compared to the extant permission, the changes to the current scheme and the creation of one additional unit within the ground floor have not materially altered the design, scale or siting of the development. The proposal is therefore considered to be acceptable.

Standard of Accommodation

Policy 3.5 of the London Plan states the minimum internal floor space required for residential units on the basis of the occupancy that could be reasonably expected within each unit. The building as a whole contains many windows and doors which would ensure a good level of natural light to each of the habitable rooms

The floor space of the proposed units varies between 64.53 -71.5sqm. Table 3.3 of the London Plan and prescribed housing standards require a Gross Internal Area of 61sqm for two bedroom, three person flats and 50sqm for one bedroom two person flats. With regard to the above it appears that the size of the apartments for its intended occupancy would comply with the minimum standards contained in the London Plan.

On the basis of the above it is considered that the proposed development would provide an acceptable standard of living for future occupiers in conformity with Policy 3.5 Quality and Design of Housing Developments of the London Plan and Policy H12 of the UDP.

The units are provided with private balconies, terraces and a communal garden at the rear. The level of amenity space provided is therefore considered to be acceptable.

Impact on neighbouring properties.

The scheme has received a number of objections in relation to the proposed application.

Immediately to the north west of the site is a part one/part two storey dwelling known as Romany Ridge. To the south east is the existing Sunset Hill site, which includes permission for a flatted development of 10 units. This site has been cleared and levelled in preparation for ground works. There is therefore a reasonable prospect of this development coming forward and as such this forms a material consideration in relation to this scheme.

As noted above, the proposed building would be set further towards the highway than the previous dwelling, being approximately 4m forward of Romany Ridge. The flank

elevation of the building would also be set closer to the common side boundary and the overall massing would be three storeys in height adjacent to this property. However, due to the substantial level changes and different architectural styles of the houses, the existing property already sits higher than Romany Ridge to the north. Furthermore, the existing two-storey garage and first floor extension already sits proud of the neighbouring front building line. The proposal would however sit approximately 2m forward of this existing position. The overall height, massing and bulk of the development would be larger, however the ground level would be lowered and the development graded into the site in order to try and minimise the visual bulk. The height of the three storey element of the development, adjacent to Romany Ridge, would therefore be lower than the maximum height of the existing dwelling.

This neighbouring property is also unusual in that it has no rear garden. The built form extends up the rear curtilage of the site. This neighbour also sits at an angle to the proposed development, with the south west corner of Romany Ridge and the north west corner of the development tapering inwards towards each other. The south facing flank elevation of Romany Ridge already experiences some visual incursion from the existing dwelling. The proposal would increase this due to the forward projection and greater massing, however Members considered the visual impact to be on balance acceptable.

The amendments to the current application relate to the conversion of an existing storage space within the approved building footprint. The lowering of the ground level to the south and rear, together with this additional unit would have no impact on the residential amenities of Romany Ridge over and above the approved scheme.

To the south of the site is the Sunset Hill Development site, which has now been cleared and levelled. The extant permission relating to this site includes a large flatted development, which would be set forward of the principal elevation of the proposal. The north facing flank elevation of this development would include secondary windows serving kitchens and bedrooms, however given the layout and orientation of the site no loss of light or overshadowing is anticipated. The additional unit would be sited adjacent to this development; however it would be contained within the footprint of the approved building. The ground level between the developments has been lowered but the overall height and relationship between the scheme and the Sunset Hill development would be broadly similar and no objections are therefore raised on neighbouring amenity grounds to the additional ground floor unit.

Immediately to the rear are the Coniston Road properties, which have their gardens extending up to the site curtilage. The properties and gardens of Coniston Road are set at a higher ground level than the application site, meaning that at present the garden level of 68 Coniston Road stands approximately mid-way between ground and first floor level of the rear elevation of the existing property. The proposed development would be approximately 1.6m higher and closer to the rear boundary however the separation increases as the land and building taper away. The building has also been partially dug into the site. There is a dense level of vegetation extending along the rear boundary, and the rear elevations of the properties along Coniston Road are approximately 40m away. The proposed development would include terraces at the rear; however they would be set below the garden level of 68 Coniston Road. The scheme would also include habitable windows within the rear elevation but these would be to bedrooms and would not therefore be in constant use. This relationship is also similar to the extant permission and given the overall separation distance, existing arrangement, changes in ground level and dense vegetation. It is considered that the overlooking would be on balance acceptable. The above factors would also ensure the scheme was not overly intrusive or overbearing.

The proposal would also include balconies to the front. The balconies adjacent to Romany Ridge (flats 1 & 3) would include privacy screens along the northern edge to prevent direct overlooking to the neighbouring property. The proposal would also be located some 48m away from the residential dwellings located immediately opposite the site. This would reduce significant overlooking and a loss of privacy.

Concerns have been raised by neighbouring residents regarding the proposed boundary treatments, particularly to the rear of the site. There is a significant level change between the application site and the Coniston Road properties. It is therefore considered reasonable to condition the submission of boundary treatment details prior to commencement.

It is considered that whilst the proposal would have some impact on neighbouring residential amenities, the impact was on balance acceptable and the provision of one additional unit would not result in a level of harm, which is materially greater than the extant permission.

Highways

Access to the site is from Hillbrow Road which is accessed from either Coniston Road or Warren Avenue. Hillbrow Road is an unadopted highway and as such is not maintainable by the Council. Access from the top of Hillbrow Road is via a single narrow track. The PTAL for the site is 1 (b), which is a low category. The development proposes 10 car parking spaces which are to be located towards the front of the site. The proposal would provide a level of parking which exceeds London Plan requirements. However the Council's highways officer has not raised objections on parking grounds and given the low PTAL rating, this level is considered to be on balance reasonable.

Local residents have commented that Hillbrow Road is a single unmade track which does not have a pedestrian walkway and, furthermore, that the road is in a poor state of repair and unsuitable for heavy construction vehicles. Further comments have also been provided stating that the cumulative impact from traffic generated from the neighbouring Sunset Hill Development and the application site would result in additional pressure on the road. These concerns have been considered by the Council's highways officer; however no objections have been raised in this respect. The above officer has stated that given the status of Hillbrow Road as an unadopted street, the applicant should be advised via an informative attached to any permission that the condition of the section of the street to which the proposed development has a frontage should, at the end of development, be at least commensurate with that which existed prior to commencement of the development. The applicant should, therefore, also be advised that before any works connected with the proposed development are undertaken within the limits of the street, it will be necessary for them to obtain the agreement of the owner(s) of the sub-soil upon which Hillbrow Road is laid out.

The proposal is generally considered to be in accordance with UDP Policy T3 and Policy 6.13 of the London Plan (2011).

Cycle parking has been demonstrated on the plans, however further details regarding the means of enclosure could be conditioned.

Refuse storage has also been indicated on the plans as being within front garden area. The location appears reasonable subject to the submission of means of enclosure.

It is considered that the impact of the proposed development and subsequent uplift of vehicular traffic was acceptable and would not have a detrimental impact on pedestrian or vehicular safety. The revision to the current scheme, with inclusion of one additional unit and parking space would unlikely result a level of vehicular activity that is materially different

Trees

Policy NE67 Development and Trees states that proposals for new development will be required to take particular account of existing trees on site and on adjoining land, which in the interests of visual amenity and/or wildlife habitat are considered desirable to be retained. Tree Preservation Orders will be used to protect trees of environmental importance and visual amenity. Where trees have to be felled, the Council will seek suitable replanting.

There are a number of mature trees and extensive landscaping within the site curtilage and on neighbouring land. An Arboricultural Survey & Report has been supplied in support of the application. The Council's Arboricultural officer has reviewed the above information and considers that the details supplied satisfactorily address the tree constraints associated with the proposals. Further, sufficient protection measures have been proposed to ensure trees retained are not at risk of damage. Temporary protection can be afforded by way of a landscaping condition should the scheme be considered acceptable. The Arboricultural officer has suggested a number of conditions relating to building in accordance with the submitted Tree Protection Plan, together with the submission of a full landscaping strategy. The above conditions are considered reasonable and necessary to ensure the quality of the proposed development.

Concerns have been raised by neighbours regarding the removal of a significant number of trees on the adjacent Sunset Hill site. The removal of these trees does not form part of the assessment of the current application; however consideration was given to the impact and subsequent removal of trees as part of that scheme.

Community Infrastructure Levy

The Mayor of London's CIL is a material consideration. CIL contributions will be sought in connection with the proposed development.

Decision

Application Permitted

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