



North Cray Residents Association

www.northcrayresidents.org.uk

Dear Mrs Collins

DATE: 4 February 2019

Ref 18/03248/FUL 139 North Cray Road: Demolition of all existing buildings and the erection of 6 x 4 bed detached dwellings with basements, associated parking and amenity space

Where do we start?

1. BACKGROUND

First, I ask you to please refer to our letter of 25 January 2018 in which we detailed the planning history of this site and pointed out that the executive decision in 2013 to give planning permission for two x 2 bed single storey dwellings was unsound. This unsound decision led to the Planning Committee's approval in 2014 of a subsequent application for the number to be increased to six. This planning permission was not acted upon (please see para 3 of that letter).

Disappointingly, this planning permission was renewed in 2018 (Ref 17/02770/FUL).

This was quickly followed by an application to build an estate of 67 houses (Ref 18/02656/OUTM). Please see our letter of Objection of 6 November 2018. Happily, after receiving over 170 objections from local people, the Head of Development Management made an executive decision to refuse planning permission.

2. CONDITIONS SET IN 2014 and 2018

When planning permission for the six single-storey dwellings was granted in 2014, and again in 2018, strict Conditions were imposed. These required details of screen walls, fences etc to be submitted for approval (No. 10), preservation of the existing tree/landscaping belt along the northern edge of the site (12) and that no building, structure or alteration should be erected or made within the curtilage (s) of the dwellings without prior approval (13). The latter was in order *to minimise the impact on the openness of the Green Belt*. This was very important since the decision to allow dwellings to be built on this sensitive and prominent site on Green Belt and Heritage Land was made despite the absence of any Very Special Circumstances.

3 CURRENT APPLICATION

3.1 It is unclear whether or not this latest application is intended to replace the renewed permission granted in 2018 for six single-storey dwellings, or whether that still stands irrespective of whether or not this new one is approved.

3.2 The main difference between what was approved in 2018 and what is being sought now is that the former scheme was for 3 x 3-bed and 3 x 2-bed single-storey dwellings, ones subject to a Condition (No. 13) preventing any future enlargement by the erection of buildings, structures or alterations made within their curtilage. In other words, garages, extensions and garden outbuildings such as sheds and summerhouses.

3.3 What is being sought now is a development of six 4-bed “family” houses, with basements and – as yet - no restriction of their future enlargement by the addition of garages, extensions and garden outbuildings. Such enlargement would be possible as the development has been designed to provide adequate space for the future addition of garages for most if not all of the plots.

4. IMPACT ON OPENNESS

4.1 The pre-application advice given to the applicants in an email dated 1 November 2018 (see Appx 2 of the *Planning Design & Access Statement*) makes it clear that any revised scheme to provide two storey dwellings “would need to provide robust evidence that the openness of the green belt would not be harmed by such works”. We see no evidence in any of the documents submitted that the openness of the Green Belt would not be adversely affected. On the contrary, there would be a *greater* impact on openness, see para 4.2 below.

4.2 The footprint of each of the proposed houses would be marginally smaller than the previously-approved 3-bed and 2-bed bungalows. However, 4-bed houses would have a greater impact on openness and be more dominant in the landscape. This is an important factor because of the site's prominent position, and the fact that it lies within open countryside (see also para 5.4 below).

4.3 This impact would be even greater were the houses to be enlarged at some time by the addition of garages, extensions and garden buildings. And is it reasonable to expect that the occupants of these large 4-bed “family” houses will not wish to make such additions to what will be expensive properties at the higher end of the market?

5. IMPACT ON THE CHARACTER OF THE AREA

5.1 The site is, as we state above, a prominent one. It lies in open countryside. It is close to a Grade 11 Listed building (Cray Hall). As we said in our letter of 25 January 2018, (para 4), Policy CS19 is relevant here. This is intended to protect heritage assets from development that is likely to adversely impact on the character or appearance of an asset – *or its setting*.

5.2 As we said before, there is also Policy ENV22, which is to protect the quality and character of Heritage Land, of which the application site is a part .

5.3 We again point to the Judicial Review of 2017, concerning a housing development adjacent to a Listed building and the LPA's refusal of planning permission on the grounds of the harm that would be caused to the setting of the heritage assets, including the landscape character. Whether or not a development is screened by trees or hedges from the view of a Grade 11 Listed building was considered immaterial.

5.4 The proposed housing development of large 4-bed houses on this prominent site would be highly visible from the highway where it would not be fully screened by trees. The entrance gates, the new internal road with street lighting, and the houses themselves, would dominate the street scene and adversely affect the character of the area. As we said in our letter of 25 January 2018, the applicants themselves described the site as being situated in a high profile location when they attempted to sell it in 2016 (see Appx A of that letter).

6. FLOOD RISK

6.1 It should not be forgotten that in 1977 North Cray was flooded, when the house adjoining the site (Cray Hall) and its land became under water. In fact, the land – which runs down from Chalk Wood in the east – has a history of flooding from rainwater running downhill. Please see photos. of Cray Hall and its land under water in 1977 which were taken at the time.

6.2 We also ask you to please refer to the letter submitted by R.B in response to 18/02656/OUTM, which supports our concern about the risk of flooding in the area containing the application site.

6.3 It would be very irresponsible, in our view, if planning permission were to be given to build houses with basements on this land.

7. LOCAL INFRASTRUCTURE

North Cray has no local infrastructure such as schools, medical services and banks. The bus service runs only half-hourly and the nearest railway stations are car-rides away. The creation of a housing estate of “family” houses and the addition of 12 cars and service vehicles would increase the traffic on the North Cray Road – increasing air pollution and congestion at busy times, particularly in the approach to Ruxley roundabout.

8. ACCESS TO AND FROM THE SITE

There is no slip road on the North Cray Road to provide safe access to and from the proposed housing estate for 12 cars plus service vehicles of all sizes.

9. AMENITY SPACE

What and where is this? We can see no mention of it anywhere in the *Planning Design & Access Statement*. Perhaps it is the area of garden around each house. We suspect though that it is some as yet unexplained plan for the adjoining field that has stables and is currently used as grazing land. However, we see that on the Site Plan – North there is an annotation stating that all structures (stables) are to be demolished.

10. ADJOINING FIELD

Para 2.5 of the *Planning Design & Access Statement* incorrectly states that “space associated with the livery buildings with stables used for livery” falls within the definition of previously developed land. How can this be the case when the existing permission for six dwellings relates only to that part of the application site currently occupied by *Janina House* and its several outbuildings? We suggest that the way in which all the land in the ownership of the applicants has been outlined in red is suspicious and a covert way of persuading you to accept that the adjoining field is part of the application site and, as such, previously developed. See also 11 below.

Para 2.6 of the *Planning Design & Access Statement* claims that the Council has accepted that the land comprises a previously developed site. Surely what you said to the applicants was that their land holding overall includes a previously developed site.

11. APPLICANTS' ASPIRATIONS FOR FURTHER DEVELOPMENT

11.1 The way in which the Site Plans – North and South - have been presented, ie with a red line encompassing all of the applicants' land holding and not just around that part of the site currently occupied by *Janina House* and its outbuildings, indicates to us an aspiration to build on the adjoining field. And the Site Plan – North is annotated to say that all structures (Stables) are to be demolished.

11.2 The Site Plan – South presents the proposed layout for the new estate of six houses, ie positioned on the site of *Janina House* and its outbuildings. However, in view of the applicants' past history of quickly asking for more once an initial planning application has been granted, we really do believe that if you grant permission for the six houses shown on this site plan, an application for more will quickly follow, ie one in the adjoining field that would mirror the approved development – or an even larger one closer to the one for 67 houses recently refused (Ref 18/02656/OUTM).

/ SUMMARY

SUMMARY

- The site is Green Belt and Heritage land, and there are no Very Special Circumstances to justify this housing development.
- It is in a prominent position, within open countryside and close to a Grade 11 Listed building.
- The development would be highly visible from the North Cray Road.
- The entrance gates, new internal road with street lighting and the houses themselves would dominate the street scene and adversely affect the character of the area.
- There is no mention of the Conditions imposed in 2018 on the existing approved scheme for six bungalows to prevent future enlargement of the proposed houses (eg by the addition of garages, extensions and garden outbuildings). Such enlargement, if allowed, would increase (a) the loss of openness (b) dominance in the street scene; and further adversely affect the character of the area and the setting of the nearby Grade 11 Listed building.
- There is a history of flooding of the land around the site.
- There is no provision for a slip-road to provide safe access/exit for 12 cars plus service vehicles of all sizes.
- Local infrastructure such as schools, medical services and banks does not exist
- There would be increased traffic and congestion on the North Cray Road, adding to air pollution.
- The adjoining field is part of the applicants' overall land holding, not part of the site currently containing *Janina* House and its outbuildings.
- The applicants have a history of quickly applying for more once they have obtained planning permission for an initial application.

We hope very much that approval will not be given for this development,

Yours sincerely

Jean Gammons, Secretary