

Section '3' - Applications recommended for PERMISSION, APPROVAL or CONSENT

**Application No :** 11/02266/FULL1

**Ward:**  
**Copers Cope**

**Address :** Site Of 84-86 Overbury Avenue And 2  
Stanley Avenue Beckenham

**OS Grid Ref:** E: 538267 N: 169010

**Applicant :** Mr J Amos

**Objections :** YES

**Description of Development:**

Part two/three storey block comprising of 7 two bedroom and 2 three bedroom flats with 13 car parking spaces, vehicular access onto Stanley Avenue and Overbury Avenue, detached car ports, cycle and refuse stores (amendments to scheme permitted under ref 07/04526)

Key designations:

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

**Proposal**

The proposal seeks permission for a part two/three storey block comprising of 7 two bedroom and 2 three bedroom flats with 13 car parking spaces, vehicular access onto Stanley Avenue and Overbury Avenue, detached car ports, cycle and refuse stores.

The application seeks an amendment to a planning application previously granted permission under ref. 07/04526. This permission was previously implemented following the discharge of pre-commencement conditions.

The current application seeks permission for changes to the front and side elevations of the building, which affect the appearance of the building and the layout of the site. The main differences between the current application and previously approved scheme under ref. 07/04526 can be summarised as follows:

North-west elevation:

- design of entrance porch has been altered;

- window in central section has been changed to replicate the window pattern either side;
- right-hand gable end feature now features balconies on the first and second floors following the removal of the bay window;
- Side elevation
- the gable end feature is relocated to the corner of the building – will be more dominant at the road junction;
- chimney has been internalised;
- small left-hand gable will have bay windows to the ground and first floors and balcony areas to the second floor;

At the rear:

- the car port is being relocated which allows for an additional window to be introduced to the ground floor and opens up the rear entrance to the building from the parking area, which was formerly enclosed behind the car port.
- the layout of the current scheme is therefore the same as that previously approved under ref. 07/04526, and it is only the elevations which are different to those which are approved.

## **Location**

The application site comprises Nos. 84 – 86 Stanley Avenue and No. 2 Overbury Avenue which were two flats and a house converted from one large house. These properties have already been demolished following previous planning approvals.

The site is located on a prominent corner plot on the junction of Overbury Avenue and Stanley Avenue. The surrounding area primarily consists of residential properties, a mixture of two storey houses and blocks of flats.

## **Comments from Local Residents**

Local residents were notified of the application, and the following responses were received:

- the chimney has now been integrated into the roof on the north-east elevation facing Stanley Avenue which has caused the size of the roof to increase in size;
- these flats are already large enough without any additional increase in size;
- the design changes have caused the property to lost its previous more attractive Victorian inspired design;
- the changes to the front elevation facing Overbury Avenue are unattractive compared to previous design;
- concerns regarding ht height of the 5 car ports backing onto 'Wooknole';
- large block of flats is out of character in the area;
- additional traffic will cause problems;
- proposed development is too high and too bulky;
- light and view will be blocked;
- loss of trees due to development;

- if this goes ahead it will set a precedent for ‘house and garden grabbing’ and totally alter the character of the area.

Full copies of all correspondence received can be found on the file and any further representations received will be reported verbally.

### **Comments from Consultees**

No objections were received from the Crime Prevention Officer, Drainage Engineer, Environmental Health (Housing), Environmental Health (Pollution), Thames Water, Highways Engineer or Waste Services.

### **Planning Considerations**

No objections were raised with regard to trees on the site.

No objections were raised in terms of the trees on the site and on adjoining sites.

The proposal falls to be determined with particular regard to Policies H7, T3, T11, T18 and BE1 of the adopted Unitary Development Plan.

In strategic terms the most relevant London Plan policies are:

Policy 3A.1 Increasing London’s Supply of Housing

Policy 3A.3 Maximising the Potential of Sites

Policy 4A.3 Sustainable design and construction

Policies 4B.1 Design principles for a compact city

Policy 4B.8 Respect local context and communities

Central Government advice contained in PPS1 ‘Delivering Sustainable Development’ and Planning Policy Statement 3 ‘Housing’ are also relevant in the determination of the current application.

### **Planning History**

In terms of planning history on the site, there have been a number of previous applications with different outcomes.

Planning permission was refused for an outline application under ref. 06/02377 for a three storey block comprising 12 two bedroom flats with 12 car parking spaces and refuse storage on the following grounds:

The proposed development, located as it is on this prominent corner site, would be out of character and scale with the local street scene and would constitute a cramped overdevelopment of the site at an excessive residential density and if permitted would establish an undesirable pattern for similar flatted development along Stanley Avenue, resulting in a retrograde lowering of the standards to which the area is at present developed, contrary to Policy H7 of the Unitary Development Plan;

The proposal would be overdominant and would be detrimental to the amenities that the occupiers of adjoining properties might reasonably expect to be able to continue to enjoy by reason of visual impact, loss of prospect and increased noise and disturbance, contrary to Policies BE1 and H7 of the Unitary Development Plan;

The proposed development, by reason of the lack of affordable housing provision, would be contrary to Policy H2 of the Unitary Development Plan; and

The proposed vehicular access and parking fronting Overbury Avenue, which would be located close to the junction between Overbury Avenue and Stanley Avenue, would not be in the interests of good highway planning and would have a detrimental effect on road safety, contrary to Policies T3 and T18 of the Unitary Development Plan.

Planning permission was also refused for an outline application under ref. 06/04074 for development proposing the demolition of 2 Stanley Avenue and 84-86 Overbury Avenue and erection of three storey block comprising 9 two and three bedroom flats with 10 car parking spaces/ cycle storage and refuse storage. This scheme was refused on the following grounds:

The proposed development would be out of character and scale with the local street scene and would constitute a cramped overdevelopment of the site at an excessive residential density, contrary to Policies BE1 and H7 of the Unitary Development Plan; and

The proposal would be overdominant and would be detrimental to the amenities that the occupiers of adjoining properties might reasonably expect to be able to continue to enjoy by reason of visual impact, loss of prospect and increased noise and disturbance, contrary to Policies BE1 and H7 of the Unitary Development Plan.

In this latter case, it was considered that the application had overcome the original refusal grounds 3 and 4 relating to affordable housing provision and highway safety but the other objections remained.

Both decisions were subsequently appealed against, with the original proposal, for a block of 12 flats being dismissed, and the second application relating to the block of 9 flats, being allowed by The Inspectorate.

In respect of the proposal for 9 flats which was allowed, the Inspector stated that “the visual bulk of the proposed building would be similar to the existing situation and would not be harmful to the street scene” and a similar view to the other appeal was expressed with respect to the impact on living conditions.

In respect of the proposal for 12 flats, which included two car parking areas, one of which accessed from Overbury Avenue, the Inspector states that “the access onto Overbury Avenue would be in close proximity to its junction with Stanley Avenue. It would however serve only 6 parking spaces, the intensity of its use would be

similar to that of a large house, and the distance from the junction would be similar to others in the area. In my opinion, therefore, the access onto Overbury Avenue would not result in any material reduction in highway safety on the avenue.”

Prior to the outcome of these appeals, a third application was determined under ref. 07/00435 for the demolition of 2 Stanley Avenue and 84-86 Overbury Avenue and erection of 2/3 storey block comprising 9 two and three bedroom flats with 10 car parking spaces cycle storage and refuse storage. This was also an outline application and was refused on the following grounds:

The proposed development would be out of character and scale with the local street scene and would constitute a cramped overdevelopment of the site at an excessive residential density, contrary to Policies BE1 and H7 of the Unitary Development Plan.

The proposal would be overdominant and would be detrimental to the amenities that the occupiers of adjoining properties might reasonably expect to be able to continue to enjoy by reason of visual impact, loss of prospect and increased noise and disturbance, contrary to Policies BE1 and H7 of the Unitary Development Plan.

Following on from the appeal decision, planning approval was given for an application for details pursuant to outline application ref. 06/04074 which formed application ref. 07/03141. Furthermore, application ref. 07/04526 was granted permission for the demolition of 2 Stanley Avenue and 84-86 Overbury Avenue and erection of 2/3 storey block comprising of 9 two and three bedroom flats with 13 car parking spaces, vehicular access onto Stanley Avenue and Overbury Avenue, 2 detached carports, cycle and refuse store.

An entirely new scheme which sought outline approval for a detached 2 storey four bedroom house with integral garage with vehicular access fronting Stanley Avenue and part 2/3 storey terrace comprising 2 five bedroom and 4 four bedroom houses, car parking spaces and vehicular access fronting Overbury Avenue, plus associated refuse and cycle provision, was granted permission under ref. 10/00474. This application has not been implemented.

The most recently determined application, ref. 11/00594, sought to amend the scheme granted under ref. 07/04526 and was refused for the following reasons:

The additional car parking alongside the south-east flank boundary of the site would be harmful to the amenities of the adjoining residents by reason of the resultant unacceptable degree of noise and general disturbance which would be generated, contrary to Policy BE1 of the Unitary Development Plan; and

The proposed development would lack adequate useable and quality provision of amenity space for future occupants of the flats, contrary to Policies BE1 and H7 of the Unitary Development Plan.

The current application therefore seeks to overcome the refusal grounds.

## Conclusions

Members may consider that the principle of redevelopment on this site has already been established by the grant of previous applications, namely ref. 06/04074 which was granted at Appeal, ref. 07/04526, of which the current application seeks amendments to, and ref. 10/00474.

The main issues remain to be related to the effect of the proposal on the character and appearance of the surrounding area; the impact upon the amenities of nearby residents in terms of noise, disturbance, privacy, visual intrusion and daylight; and the impact upon highway safety. Of particular interest should be the most recently refused application ref. 11/00594, with regard to the impact of the car parking alongside the south-eastern flank property boundary and the inadequate useable and quality amenity space for future occupants of the flats.

The number of units being provided in the current scheme (9 residential units) does not differ from the previously approved scheme; therefore Members may consider that this element of the proposal is appropriate for this site and the wider area. In addition, the amount of development in terms of the number and size of units, and the number of car parking spaces, remain unaltered when compared with the permitted ref. 07/04526 scheme.

When Members compare the overall scale of development from the current scheme to that previously approved, it can be seen that the height and scale of each elevation remains unaltered, despite there being alterations to a number of different elements on each elevation such as the entrance canopy having been redesigned and the inclusion of balconies at first and second floor within the right-hand gable feature on the Overbury Avenue elevation which provides additional outdoor amenity space.

The layout of the approved scheme (ref. 07/04526) remains the same under the current application, as does the parking layout and the level of amenity space being provided for the future occupiers.

The first refusal ground referred to within ref. 11/00594 related to the additional car parking alongside the south-eastern boundary of the site being harmful to the amenities of adjoining residents due to the generation of noise and disturbance. As this additional carport has been removed from the current scheme and is no longer adjacent to 'Wooknole', Members may find that the first refusal ground has been overcome.

The second refusal ground related to the lack of adequate useable and quality provision of amenity space for future occupiers of the flats. The current scheme provides additional balcony areas accessed via the living rooms which will provide further amenity space to the future occupiers of the units. Members may therefore find that the second refusal ground has also been overcome by returning to the parking layout approved under ref. 07/04526.

On the basis that the principle of this scale and design of development has been agreed under ref. 07/04526, and the main changes may be considered to improve

the approved scheme and be unlikely to have a detrimental impact upon the character of the area, the streetscene or the amenities of the residents of nearby properties, along with having overcome the most recent refusal grounds from ref. 11/00594, Members may find the current proposal is acceptable.

Background papers referred to during the production of this report comprise all correspondence on files refs. 06/02377, 06/04074, 07/00435, 07/03141, 07/04526, 10/00474, AP/07/00043/S78, AP/07/00053/S78, 11/00594 and 11/02266, excluding exempt information.

**RECOMMENDATION: PERMISSION**

Subject to the following conditions:

- 1     ACA01        Commencement of development within 3 yrs  
ACA01R        A01 Reason 3 years
- 2     ACA05        Landscaping scheme - implementation  
ACA05R        Reason A05
- 3     ACA07        Boundary enclosure - no detail submitted  
ACA07R        Reason A07
- 4     ACB01        Trees to be retained during building op.  
ACB01R        Reason B01
- 5     ACB02        Trees - protective fencing  
ACB02R        Reason B02
- 6     ACB03        Trees - no bonfires  
ACB03R        Reason B03
- 7     ACB04        Trees - no trenches, pipelines or drains  
ACB04R        Reason B04
- 8     ACB16        Trees - no excavation  
ACB16R        Reason B16
- 9     ACC01        Satisfactory materials (ext'nl surfaces)  
ACC01R        Reason C01
- 10    ACC03        Details of windows  
ACC03R        Reason C03
- 11    ACD02        Surface water drainage - no det. submitt  
**Reason:** To ensure satisfactory means of surface water drainage and to accord with Policy 4A.14 of The London Plan and PPS25.
- 12    ACD04        Foul water drainage - no details submitt  
**Reason:** To ensure satisfactory means of foul water drainage and to accord with Policy 4A.14 of The London Plan and PPS25.
- 13    ACH03        Satisfactory parking - full application  
ACH03R        Reason H03
- 14    ACH12        Vis. splays (vehicular access) (2 in)           3.3m x 2.4m x  
3.3m 600mm  
ACH12R        Reason H12
- 15    ACH16        Hardstanding for wash-down facilities  
ACH16R        Reason H16
- 16    ACH18        Refuse storage - no details submitted  
ACH18R        Reason H18
- 17    ACH22        Bicycle Parking

- ACH22R Reason H22  
 18 ACH24 Stopping up of access  
 ACH24R Reason H24  
 19 ACH32 Highway Drainage

**Reason:** To ensure satisfactory means of surface water drainage and to accord with Policy 4A.14 of The London Plan and PPS25.

- 20 ACI10 Side space (1 insert) 3.5 metres south-western  
 ACI10R Reason I10  
 21 ACI21 Secured By Design  
 ACI21R I21 reason  
 22 ACI24 Details of means of screening-balconies  
 ACI24R Reason I24R  
 23 ACK01 Compliance with submitted plan

**Reason:** In order to comply with Policies BE1, H7, T3, T11 and T18 of the Unitary Development Plan and to protect the amenities of the residents of nearby properties.

- 24 ACK06 Slab levels - compliance  
 ACK06R K06 reason

25 Prior to the first occupation of the development hereby permitted, the developer should certify in writing to the Local Planning Authority that lighting of the access/car parking is in accordance with BS 5489 – 1:2003 and that the lighting scheme will be permanently maintained as such thereafter.

**Reason:** In order to comply with Policies T3 and Appendix II of the Unitary Development Plan and in the interest of visual amenity and the safety of occupiers of and visitors to the development.

26 The existing hedges within the site shall be retained and shall not be removed unless previously agreed in writing by the Local Planning Authority.

**Reason:** To enhance the setting of the development and safeguard the character of the area in accordance with Policies H7 and BE1 of the Unitary Development Plan.

### **Reasons for granting permission:**

In granting permission the Local Planning Authority had regard to the following policies of the Unitary Development Plan:

- BE1 Design of New Development  
 H7 Housing Density and Design  
 T3 Parking  
 T11 New Accesses  
 T18 Road Safety

The development is considered to be satisfactory in relation to the following:

- (a) the appearance of the development in the street scene;
- (b) the relationship of the development to the adjacent properties;
- (c) the impact on the amenities of the occupiers of adjacent and nearby properties;
- (d) the light and outlook of occupiers of adjacent and nearby properties;



- (e) the privacy of occupiers of adjacent and nearby properties;
- (f) the housing policies of the development plan;
- (g) the safety and security of buildings and the spaces around them;
- (h) accessibility to buildings;
- (i) the transport policies of the development plan;
- (j) and having regard to all other matters raised including concerns from neighbours.

#### INFORMATIVE(S)

- 1 RDI10 Consult Land Charges/Street Numbering
- 2 Any repositioning, alteration and/ or adjustment to street furniture or Statutory Undertaker's apparatus, considered necessary and practical to help with the forming of vehicular crossover hereby permitted, shall be undertaken at the cost of the applicant.
- 3 The developer is informed that connections are not permitted for the removal of Ground Water. 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. This is to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.
- 4 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 Water's pipe. The developer should take account of this minimum pressure in the design of the proposed development.

**Application:**11/02266/FULL1

**Address:** Site Of 84-86 Overbury Avenue And 2 Stanley Avenue  
Beckenham

**Proposal:** Part two/three storey block comprising of 7 two bedroom and 2 three bedroom flats with 13 car parking spaces, vehicular access onto Stanley Avenue and Overbury Avenue, detached car ports, cycle and refuse stores (amendments to scheme permitted under ref 07/04526)

