

Section '4' - Applications recommended for REFUSAL or DISAPPROVAL OF DETAILS

Application No : 11/03848/FULL1

Ward:
Kelsey And Eden Park

Address : 9 Kemerton Road Beckenham BR3 6NJ

OS Grid Ref: E: 538029 N: 169122

Applicant :

Objections : YES

Description of Development:

Demolition of existing dwelling and replacement three storey building with accommodation in roofspace to provide 7 two bedroom flats, 2 detached two storey houses to rear, 2 detached garage blocks providing a total of 9 car parking spaces, and refuse store.

Key designations:

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

Proposal

- Three storey building to front of site with accommodation in roofspace to provide 7 two bedroom flats (plots 1 – 7);
- 2 detached two storey houses to rear (plots 8 & 9);
- 2 detached garage blocks to rear to provide 9 car parking spaces;
- refuse storage area
- access from the existing access off Kemerton Road with pedestrian and vehicular access to the rear houses and garages alongside the block of flats to the east

Location

- The application site is a large plot comprising a substantial two storey detached dwelling situated at the front of the site.
- To the rear of the site is mature garden land comprising various trees and shrubs as well as lawn.
- The surrounding area is residential in character including a mixture of single dwellinghouses, blocks of flats and flat conversions.
- To the immediate west of the site are two large Victorian buildings, one of which is converted into flats.

- To the immediate east is a bungalow set on a small plot.
- Opposite the site at Nos. 2, 4, 6 and 8 Kemerton Road are blocks of flats. No.10 is a single dwellinghouse.
- To the south-east works are currently underway at 12/14 Kemerton Road for a three storey block with accommodation in roof comprising 12 two bedroom and 2 three bedroom flats and including basement for 16 car parking spaces/ bicycle parking (permitted under ref. 09/01141/OUT).
- To the north of the site in Crescent Road and Oakhill Road are further blocks of flats including the former Beckenham United Reformed Church which was granted permission under ref. 04/00572 to be converted into 12 flats.
- Further to the east are single dwellings in Oakhill Road.
- Kemerton Road slopes gently upwards from west to east.

Comments from Local Residents

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

- over-development
- would not result in an 'appropriate mix' of housing in the road
- neighbouring properties would all be adversely affected
- would result in a separation of less than 1.5m between house and flats
- loss of privacy and light
- bulk would be obtrusive and overbearing, particularly for bungalow at No.11
- impact on the houses in Oakhill Road would be immense
- unacceptable impact on quality of life and amenity
- risk of trespass to surrounding properties
- garage block will have detrimental impact on garden and amenity
- development would run almost entire length of boundary fence changing outlook
- road may not be sufficient width to provide safe pedestrian access
- loss of trees and wildlife habitats
- tandem development of one house behind another
- backland development
- unacceptable increase of number of vehicles in road
- effect of hardstanding on water table
- decline of quality residential life in Beckenham
- impact on privacy, outlook and highway safety
- impact on lighting
- traffic and parking congestion
- damage and commotion caused by construction vehicles
- No's 10 and 11 will become isolated between blocks of flats becoming un-saleable
- parking congestion from site operatives vehicles
- road becoming a concrete jungle
- loss of family homes
- local schools over-subscribed

- does not allow for a contribution for the education department
- narrow cul-de-sac
- loss of green garden area
- noise
- overlooking
- would set a precedent for similar development filling up garden space
- change existing garden to huge stretch of concrete
- change of outlook will considerably affect nearby residents
- cannot justify height
- security risk to properties in Oakhill Road
- driveway appears narrow
- limitation of privacy for new residents
- mass and size of block much larger than neighbouring properties
- out of keeping with houses on road, especially No.7
- disturbance from vehicle access
- two detached houses are an overdevelopment and will overlook houses and gardens in Oakhill Road
- no provision for local medical facilities
- impact on local GP surgeries.

Comments from Consultees

The Council's Highways Development Engineers have raised concerns over the size and location of the refuse store and the size of the turning circle available for service vehicles to turn around. The 9 parking spaces proposed are considered acceptable.

The Council's Waste Advisors have raised concerns over the size of the turning area for vehicles accessing the 2 rear houses and have stated that the houses should have their own separate refuse and recycling facilities. Furthermore, the bin store for the flats should be sited at the front of the block.

The Council's Environmental Health Officer has no objections to the proposal in regard to pollution.

No comments have been received to date from the Council's Environmental Health Officer in respect of housing. Any comments received will be reported verbally at committee.

Thames Water have advised with regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. Furthermore, no impact piling shall take place until a piling method statement has been submitted to and approved in writing by the local planning authority in consultation with the relevant water or sewerage undertaker. Where a developer proposes to discharge groundwater into a public sewer, a groundwater discharge permit will be required.

With regard to water infrastructure Thames Water would not have any objection to the above planning application.

The Metropolitan Police Crime Prevention Design Advisor raises concerns over the lack of information in the application relating to how crime prevention measures will be incorporated into the design of the development. A 'Secured by Design' condition is therefore recommended should permission be given so that the development achieves full SBD accreditation.

Planning Considerations

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

- BE1 Design of New Development
- BE7 Railings, Boundary Walls and Other Means of Enclosure
- H1 Housing Supply
- H7 Housing Density and design
- H9 Side Space
- NE7 Development and Trees
- T1 Transport Demand
- T2 Assessment of Transport Effects
- T3 Parking
- T5 Access for People with Restricted Mobility
- T6 Pedestrians
- T7 Cyclists
- T12 Residential Roads
- T15 Traffic management
- T18 Road Safety

In strategic terms the most relevant London Plan 2011 policies are:

- 3.3 Increasing Housing Supply
- 3.5 Quality and Design of Housing Development
- 3.6 Children and Young People's Play and Informal Recreation
- 3.8 Housing Choice
- 6.3 Assessing Effects of Development on Transport Capacity
- 6.9 Cycling
- 7.2 An Inclusive Environment
- 7.3 Designing out Crime
- 7.4 Local Character
- 7.6 Architecture

Mayor's Supplementary Planning Guidance – Providing for Children and Young People's Play and Informal Recreation

There are a number of national policy documents that are relevant to the consideration of this application. These include:

- PPS1: Delivering Sustainable Development
- PPS3: Housing
- PPG13: Transport

From an arboricultural point of view no significant trees would be lost as a result of the proposal. The house at plot 9 would be marginally within the root protection area (RPA) of tree 35, however, this would be minor and would result in no significant harm to the tree.

Planning History

None

Conclusions

Assessment

The existing two storey building does not conform architecturally to Nos. 5 and 7 Kemerton Road which are traditional Victorian designs of similar bulk and scale. Likewise, No.11 is a bungalow and development in the road takes the form of various designs and architectural styles. Given the mixed pattern of development in the road and numerous flatted developments the proposal for flats may be considered acceptable in principle and not out of character in this location.

The design of the building would reflect a number of the features from other properties in the street. It would, however, be approximately 0.9m higher than No.7 Kemerton Road and would be 3 storeys whereas the buildings on the northern side of Kemerton Road are predominantly two storeys in height. Whilst there are examples of other three storey blocks in the road, they are predominantly found on the southern and south-eastern sides of the cul-de-sac. It is noted that the block at No.8 is part two/part 3 storeys with a subservient two storey element built adjacent to the two storey dwelling at No.10. In this instance, Members may therefore consider that the proposed three storey block with additional accommodation in the roof would not complement the adjacent buildings and given its size and proximity to the front of the site, it has the potential to dominate this part of the road. Furthermore, the block would appear particularly dominant in relation to the bungalow at No.11.

The existing house retains around 1m separation to the western flank boundary of the site from the main two storey element. However, the proposed block of flats would abut the western flank boundary of the site appearing cramped and conducive to a retrograde lowering of the spatial standards to which the area is at present developed.

The proposed garage block for 7 vehicles would also be in very close proximity to the western boundary of the site (less than 1m to the boundary with 7 Kemerton Road) and various forms of built development and hardstanding would encompass a large proportion of the curtilage of the site, allowing little opportunity for soft landscaping and resulting in the loss of previously undeveloped garden land and wildlife habitats which can hold particular significance in urban areas. This would result in a cramped appearance and a significant reduction in the spatial standards of the site, out of character with development in the surrounding area which is largely comprised of single buildings on moderate to very spacious plots.

The creation of the vehicular access through the site will also result in an unacceptable level of disturbance to neighbouring properties as both vehicles used by the occupants of the development and service and refuse vehicles will be frequenting the site. Although planting is proposed along the site boundaries, the levels of separation between the access road, garages and the neighbouring sites would be inadequate to prevent a significant loss of amenity. Furthermore, there does not appear to be any designated pedestrian footpaths through the site but rather priority appears to be given to the movement and parking of vehicles.

With regard to the relationship of the development to adjacent buildings, the proposed three storey block, built up to the boundary with No.7 Kemerton Road and projecting approximately 2.6m further back than the existing house adjacent to this boundary, would result in an over-dominant impact and loss of daylight and amenity to the occupants of No.7. This loss of amenity would be accentuated further by the proposed rear balconies at first and second floor levels which would lead to unacceptable overlooking into this neighbouring site. In addition, a first floor bedroom window is proposed at detached house plot 8 which would face this neighbouring garden. Again, this would allow significant overlooking into this neighbouring site.

The proposed garage positioned adjacent to the boundary with this site and over 4m in height would also lead to a significant reduction in the enjoyment of this property due to the extensive line of built development along this boundary which would result. This would impair the outlook from the rear of No.7 and would result in a 'closed-in' effect when in the garden.

The separation between the proposed block and No.11 would remain similar to the existing relationship between No's 9 and 11. However, the proposed development would project approximately 5.6m further back than the existing single storey rear extension at No.9 and would be three storeys in height with rear balconies at first and second floor levels. This would have a significant detrimental effect on the prospect, privacy and amenities which the occupiers of No.11 can reasonably expect to be able to continue to enjoy by reason of overlooking, loss of outlook and a general over-bearing impact.

There is only 18m minimum separation proposed between the house at plot 9 and the rear of No.6 Oakhill Road, the proposed house would be angled away from the rear of No.6 Oakhill Road with no windows from habitable rooms facing this site and, on balance, Members may consider that it would not result in a significantly harmful impact on the amenities of the occupiers of No.6 Oakhill Road.

The applicant has submitted an Energy Statement detailing measures of sustainable design and construction methods and potential measures for generating on-site renewable energy that would result in a 15% reduction in carbon dioxide emissions. The measures proposed are solar heating systems and solar photovoltaics. Members may consider this acceptable subject to a condition being imposed regarding full details of the scheme to be submitted.

A lift is proposed to serve the upper floors of the flats in the proposed three storey block and all the dwellings would be built to Lifetime Homes Standards. This meets the Council's requirements set out in the UDP and the London Plan.

9 car parking spaces are to be provided within garages for 9 private residential units. From a highway standpoint, this is considered acceptable. However, the site plan and swept path analysis provided indicates that a service vehicle may have difficulty in manoeuvring around the site.

Bicycle storage for the development could be provided within the garages thereby meeting the Council's minimum requirements for bicycle parking/unit as set out in the UDP.

No details have been provided as to what security measures will be incorporated in the development to meet the 'Secured By Design' (SBD) standards to reduce and prevent criminality. A SBD condition is therefore recommended should permission be given so that the development achieves full SBD accreditation in respect of design and layout.

With regard to surface water drainage, details of a proposed system will be required through a condition should permission be granted.

The proposal would constitute an overdevelopment of the site by reason of the amount of site coverage by buildings and hard surfaces, resulting in a loss of garden land and a significant reduction in the spatial standards of the site. This would be detrimental to the visual amenities and character of the area and would result in an unacceptable level of disturbance and loss of amenities of the occupiers of adjacent properties.

Furthermore, the proposed three storey block would fail to maintain a minimum 1m side space to the flank boundary of the site and given the scale of adjacent buildings would appear over-dominant and would seriously prejudice the amenities of the occupiers of adjacent dwellings.

Members may therefore consider that the application should be refused.

Background papers referred to during production of this report comprise all correspondence on file ref. 11/03848, excluding exempt information.

as amended by documents received on 03.02.2012

RECOMMENDATION: PERMISSION BE REFUSED

The reasons for refusal are:

- 1 The proposal would constitute an overdevelopment of the site by reason of the amount of site coverage by buildings and hard surfaces, resulting in a loss of garden land and a significant reduction in the spatial standards of the site, detrimental to the visual amenities and character of the area, contrary to Policies BE1 and H7 of the Unitary Development Plan and PPS3.

- 2 The proposal would constitute a cramped and unacceptable form of backland development, resulting in an unacceptable level of disturbance and loss of amenities of the occupiers of adjacent properties, contrary to Policies BE1 and H7 of the Unitary Development Plan.
- 3 The proposal does not comply with the Council's requirement for a minimum 1 metre side space to be maintained to the flank boundary in respect of development of two storeys or more, in the absence of which the proposal would constitute a cramped form of development, out of character with the street scene, conducive to a retrograde lowering of the spatial standards to which the area is at present developed and contrary to Policy H9 of the Unitary Development Plan.
- 4 The proposed three storey block by reason of its height, size and proximity to the boundaries of the site would be out of scale with adjoining development and would seriously prejudice the amenities of the occupiers of adjacent dwellings by reason of overlooking, loss of privacy and visual impact, contrary to Policies BE1, H7 and H9 of the Unitary Development Plan.
- 5 The layout of the estate roads and access arrangements to the rear of the site are inadequate for service and refuse vehicles to serve the proposal and do not make adequate provision for pedestrian movement in the vicinity of the development and as such would be prejudicial to the free flow of traffic and conditions of general safety within the development, contrary to Policies H7, T6 and T18 of the Unitary Development Plan.

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