

Application No : 10/01252/FULL1

Ward:
Kelsey And Eden Park

Address : Land Adjacent To 66 Manor Way
Beckenham

OS Grid Ref: E: 537490 N: 168747

Applicant : Mc Allister Developments Ltd

Objections : YES

Description of Development:

Erection of a detached three bedroom dwelling with integral garage

Key designations:

Conservation Area: Manor Way Beckenham

Proposal

This application seeks permission for a detached two storey 3 bedroom dwelling with integral garage with associated vehicular access / car parking and landscaping on land adjacent to 66 Manor Way.

The footprint of the proposed dwelling would measure at 9.3m deep (deepest end) x 13m wide and measure at 9.8m high with a pitch roof. Furthermore, it is proposed to be located approx 16.7m back from the footway and create a staggered layout with 66 & 70 Manor Way.

Location

The site is located on the southern side plot of No.66.

Manor Way is a neighbourhood comprising mainly detached houses of varying proportions and a design set within a sylvan landscape of mature trees, shrubs and boundary hedges.

Comments from Local Residents

Nearby owners/occupiers were notified of the application and four objections have been received. These objection letters can be summarised as follow:

- harmful to character and appearance of the Manor Way Conservation Area;
- create an undesirable pattern for similar backland development;
- out of keeping with Arts and Crafts style of the Conservation Area.

Comments from Consultees

From a Highways point of view there are no objections subject to safeguarding conditions being imposed.

Thames Water:

- a) Waste Comments With regards to sewerage infrastructure, no objections are raised to the planning application.

Surface Water Drainage - where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required.

- b) On the basis of information provided, Thames Water would advise that with regard to water infrastructure no objections are raised to the planning application.

In respect of the trees, all trees on the site are to be retained although the house would be in very close proximity to a bay tree to the rear of the garage at no.70. No objections subject to condition.

APCA: Objection due to loss of open area which contributes positively to the character and appearance of the Conservation Area and will be an intrusion particularly in respect of the existing rear building line.

Planning Considerations

Policies BE1, BE11, BE14, H7, H9, NE7, T3, T11 & T18, of the Unitary Development Plan apply to the development and should be given due consideration. These policies seek to ensure a satisfactory standard of design, safeguard the amenities of neighbouring properties and preserve and enhance the character and appearance of the area.

Planning History

Reference No.	Description	Decision	Date
01/03850/OUT 66) OUTLINE	Detached five bedroom house with integral garage (adjacent No. 66)	WDN	31.12.2001
08/00684/FULL1	Erection of a two storey five bedroom detached dwelling with accommodation in roof space	WDN	01.04.2008
08/02574/FULL1	Detached two storey 5 bedroom dwelling with accommodation in roof space and integral garage with associated vehicular access / car parking and landscaping on land adjacent to 66 Manor Way. Appeal Dismissed on 11th May 2009	REF	15.09.2008

09/03588/FULL1 Detached two storey 3 bedroom dwelling with integral garage with associated vehicular access/car parking and landscaping. WDN 24.03.2010

Conclusions

The main issues relating to the application are the effect that it would have on the character of the Conservation Area and the impact that it would have on the amenities of the occupants of surrounding residential properties.

Central Government Guidance includes PPS1 and PPS3 which sets out policy on development principles and housing. Central Government advice contained in Planning Policy Statement 3 which seeks more efficient use of land whilst not compromising the quality of the environment. The principle of the redevelopment of the site appears to have been accepted by the Planning Inspector in his appeal decision dated 11th May 2009 following the refusal of DC/08/02574.

Policy H7 paragraph 4.35 of the UDP (2006) states:

"Scope for further housing development occurs mainly on "infill" sites, or redevelopment of older, low-density property, and through the redevelopment of large non residential sites. The Council's primary objective is to ensure a high standard of residential environment. Redevelopment should be of a design that is sympathetic to and complements the surrounding residential area but not necessarily a reproduction of the established form and pattern of development."

The development plot is in a prominent wooded section and the Inspector did not have any concerns regarding the loss of mature landscaping however concerns were expressed in the decision notice relating to the impact of the proposed development on the Pine Tree mainly.

As part of the site, the trees within the site make an important visual contribution to the local character. Although set further back from the highway, in actual design terms, the proposed dwelling would not appear any bigger than that dismissed at appeal. It would be set away sufficiently from the side boundaries to comply with UDP policies and to overcome the impact on the Pine Tree. It is considered that in terms of scale and proportions it would be consistent with the relationship with neighbouring properties and the surrounding pattern of the development. The position of the house would be set further back from the established building line, however this is not considered to be an adverse issue as this would ensure most landscaping is retained and therefore the development would not form a prominent building within the Conservation Area. It would be of similar height to that of 66 and 70 Manor Way and would not appear cramped.

Following discussions between the Council and the applicant's arboriculturalist to ensure that the trees are retained and that the scheme will not adversely affect the tree as mentioned in the appeal dismissal notice.

No concern was expressed in the previous refused application or the appeal decision in terms of impact on neighbouring properties by means of overlooking or loss of sunlight/daylight. The proposed internal layout at first floor level would be very much similar to that of the dismissed appeal.

In this case, it is clear that there will be an impact on nearby properties as a result of this proposal and a judgement needs to be made about whether the impact is unduly harmful. Members will need to consider whether the proposal sufficiently addresses the previous appeal decision and comments received locally. Bearing in mind the issues including the previous appeal, this case is presented on list 2 of the agenda.

Having had regard to the above it was considered that the development in the manner proposed is acceptable in that they would not impact detrimentally on the character of the area or result in a loss of visual amenity to local residents. The proposal has satisfactorily overcome all the concerns expressed in the Appeal Decision dated 11th May 2009.

Background papers referred to during production of this report comprise all correspondence on file ref. 10/01252. Appeal Decision dated 11th May 2009 excluding exempt information.

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- | | | | |
|---|--------|--|--------------------|
| 1 | ACA01 | Commencement of development within 3 yrs | |
| | ACA01R | A01 Reason 3 years | |
| 2 | ACC01 | Satisfactory materials (ext'nl surfaces) | |
| | ACC01R | Reason C01 | |
| 3 | ACD02 | Surface water drainage - no det. submitt | |
| | ADD02R | Reason D02 | |
| 4 | ACH03 | Satisfactory parking - full application | |
| | ACH03R | Reason H03 | |
| 5 | ACH12 | Vis. splays (vehicular access) (2 in) | 3.3m x 2.4m x 3.3m |
| | | 1m | |
| | ACH12R | Reason H12 | |
| 6 | ACH22 | Bicycle Parking | |
| | ACH22R | Reason H22 | |
| 7 | ACH32 | Highway Drainage | |
| | ADH32R | Reason H32 | |
| 8 | ACI02 | Rest of "pd" Rights - Class A, B,C and E | |

Reason: In order to prevent overdevelopment of the site and in order to comply with Policy BE1 of the Unitary Development Plan.

9 ACI13 No windows (2 inserts) northern and southern dwelling
ACI13R I13 reason (1 insert) BE1

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
BE11 Conservation Areas
BE14 Trees in Conservation Areas
H7 Housing Design
H9 Side Space
NE7 Development and Trees.
T3 Parking
T11 New Accesses
T18 Road Safety

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

- (a) the relationship of the development to adjacent properties
- (b) the character of the development in the surrounding area
- (c) the impact on the amenities of the occupiers of adjacent and nearby properties
- (d) the conservation policies of the Unitary Development Plan

and having regard to all other matters raised.

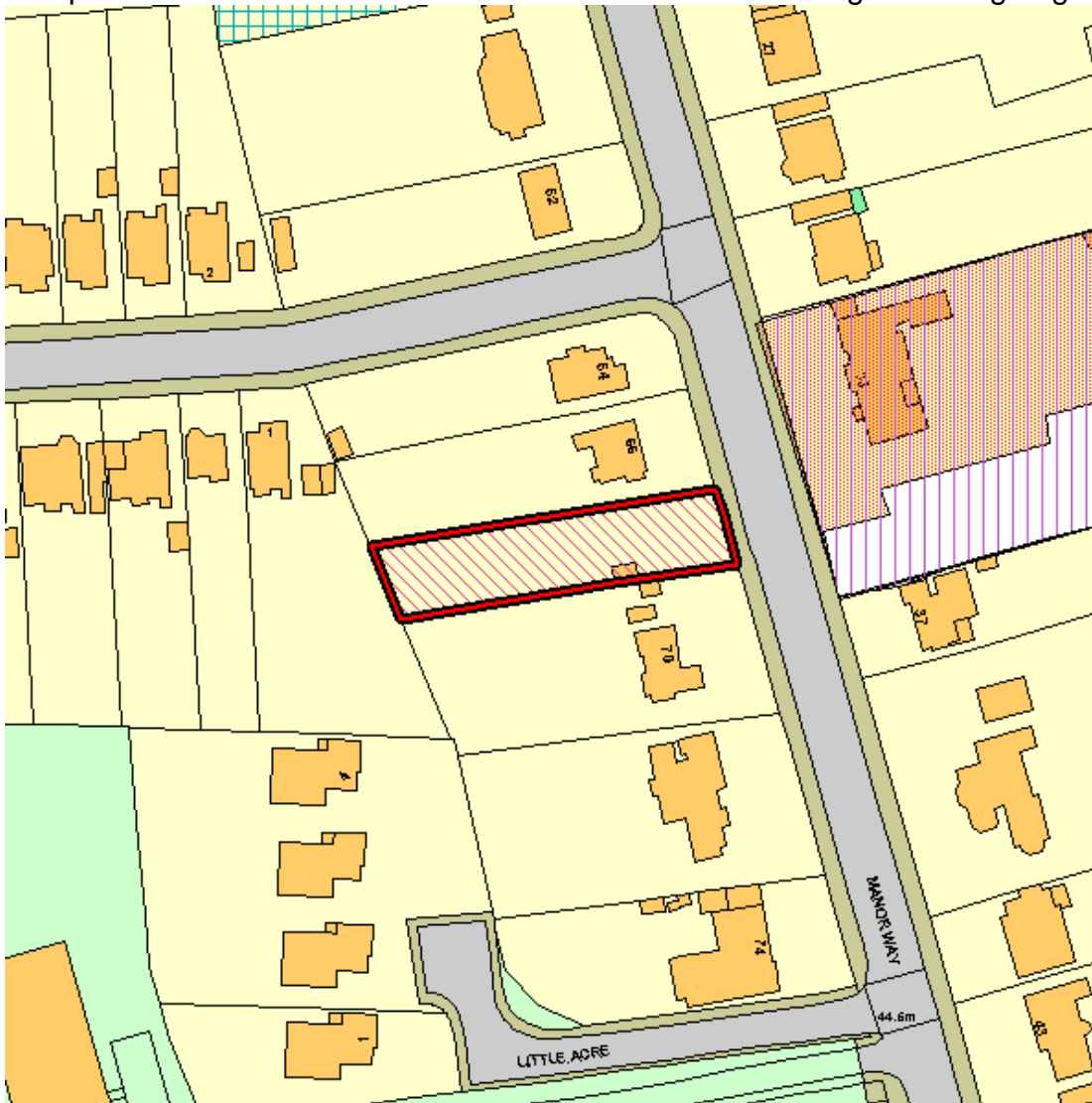
INFORMATIVE(S)

- 1 RDI21 Seek Building Control advice
- 2 RDI15 Highways Act – overhanging vehicles
- 3 With regards to surface water drainage, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

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