

SECTION '2' – Applications meriting special consideration

Application No : 10/01710/EXTEND

Ward:
Kelsey And Eden Park

Address : 63 Hayes Lane Beckenham BR3 6RE

OS Grid Ref: E: 538498 N: 168581

Applicant : Mrs W Ross

Objections : YES

Description of Development:

Extension of time limit for implementation of permission reference 06/01883 granted on appeal for a two storey dwelling fronting Quinton Close at land rear of Hayes Lane.
OUTLINE APPLICATION

Key designations:

London Distributor Roads

Proposal

This application has been called in to Committee by the local Ward Councillor in addition to application ref. 10/01908, which seeks approval for reserved matters pursuant to outline permission for a detached dwelling (under ref. 06/01883), which can also be found on this agenda.

Under planning ref. 06/01883, outline permission was granted on appeal for a two storey dwelling fronting Quinton Close on land to rear of 63 Hayes Lane.

This application seeks permission to extend the time limit for implementation of outline permission ref. 06/01883.

No change is proposed to the scheme originally permitted under ref. 06/01883, but a summary of the proposal is set out below:

- the two storey dwelling would be set within a plot measuring approx.18 wide x 24 deep,
- a rear garden with depth of approx. 20m would be retained to No.63 and the proposed dwelling would maintain a minimum rear garden depth of approx. 10m,

- the dwelling would sit forward of Wendene immediately to the north and would be approx. 2m from the flank boundary,

Location

The site forms part of the rear garden to the existing dwelling of No.63 Hayes Lane which is located within a predominantly residential area. The area is characterised by large detached two storey properties of varying designs and external materials set within spacious plots. To the northern side of the site however, lies a detached bungalow, Wendene. The area is not located within a Conservation Area or Area of Special Residential Character.

Comments from Local Residents

Numerous letters of objection have been received in relation to the principle of residential development in the back garden of No. 63 in that it is contrary to current Government guidance contained in PPS3. In addition, concerns primarily relate to:

- the scheme represents an overdevelopment,
- loss of prospect, privacy and open space,
- the siting of the dwelling is forward of Wendene,
- Quinton Close is a narrow road, without scope for on-street parking which can lead to highway congestion and hinder visibility to other road users,
- the design of the proposed property does not complement the surrounding and local area,
- the submission of the details application is out of time and therefore invalid.

Comments from Consultees

No technical objections are raised from a highway point of view subject to conditions relating to parking and visibility splays although it is acknowledged that outline permission was granted on appeal.

Planning Considerations

The proposal falls to be considered primarily with regard to the following policies in the Unitary Development Plan:

BE1 Design of New Development
H7 Housing Density and Design
T3 Parking
T18 Road Safety
NE7 Development and Trees

The London Plan:

- 3A.1 Increasing London's supply of housing
- 3A.3 Maximising the potential of sites

PPG3 Housing

Planning History

The only relevant planning history relating to this site is the grant of outline permission on appeal for a two storey detached dwelling under ref. 06/01883 and an application for details of the reserved matters including external appearance, landscaping parking and drainage submitted under ref. 10/01908 which is pending consideration.

Conclusions

Members will be aware that outline permission was allowed on appeal under ref. 06/01883. The Inspector in concluded that the proposed development would complement the scale, form and layout of the surrounding area and would not have an unacceptable impact on the living conditions of any neighbouring property. In addition, the Inspector considered sufficient room would exist on the site to accommodate adequate car parking and as such, the proposal would not be likely to pose any unacceptable risks to the safety of road users.

Since the determination of the application under ref. 06/01883 initially by the Council and then subsequently at appeal, the second deposit draft UDP (then in place) has been revised through its formal adoption in July 2006. No significant change however, has occurred in local planning policy relating to tandem/backland residential development.

Of particular significance is the revision of PPS3 Housing which now excludes private residential gardens from the definition of previously developed land. The removal of garden land from the definition of "previously developed land" allows local authorities to manage development in residential areas by considering applications on a case by case basis, refusing inappropriate development.

National guidance on these "extensions", advises that LPA's should take a positive and constructive approach towards applications that improve the prospect of sustainable development coming forward quickly. The development proposed will by definition have been judged to be acceptable in principle at an earlier date and this is an important consideration. Guidance also indicates that LPA's should focus their attention on development plan policies and the material considerations (including national policies) which may have changed significantly since the original grant of permission.

Members will therefore need to consider the recent change in planning guidance, the terms of the appeal decision and the impact of the development locally.

Background papers referred to during production of this report comprise all correspondence on files refs. 06/01883, 10/01908 and 10/10/1710, excluding exempt information.

RECOMMENDATION: MEMBERS' VIEWS ARE REQUESTED

- 0 D00002 If Members are minded to grant planning permission the following conditions are suggested:
- 1 ACA02 Details req. pursuant outline permission appearance and landscaping
ACA02R Reason A02
- 2 The dwelling hereby permitted shall not be occupied until space has been laid out within the site for the parking of one or more motor vehicles, in accordance with the details to be submitted to and approved in writing by the local planning authority.
ACH03R Reason H03
- 3 The dwelling hereby permitted shall not be occupied until measures for the drainage of foul and surface water from the site have been submitted to and approved in writing by the local planning authority. The proposed measures shall be implements as approved.
ADD02R Reason D02
- 4 AJ02B Justification UNIQUE reason OTHER apps

Policies (UDP)

- BE1 Design of New Development
- H7 Housing Density and Design
- T3 Parking
- T18 Road Safety
- NE7 Development and Trees

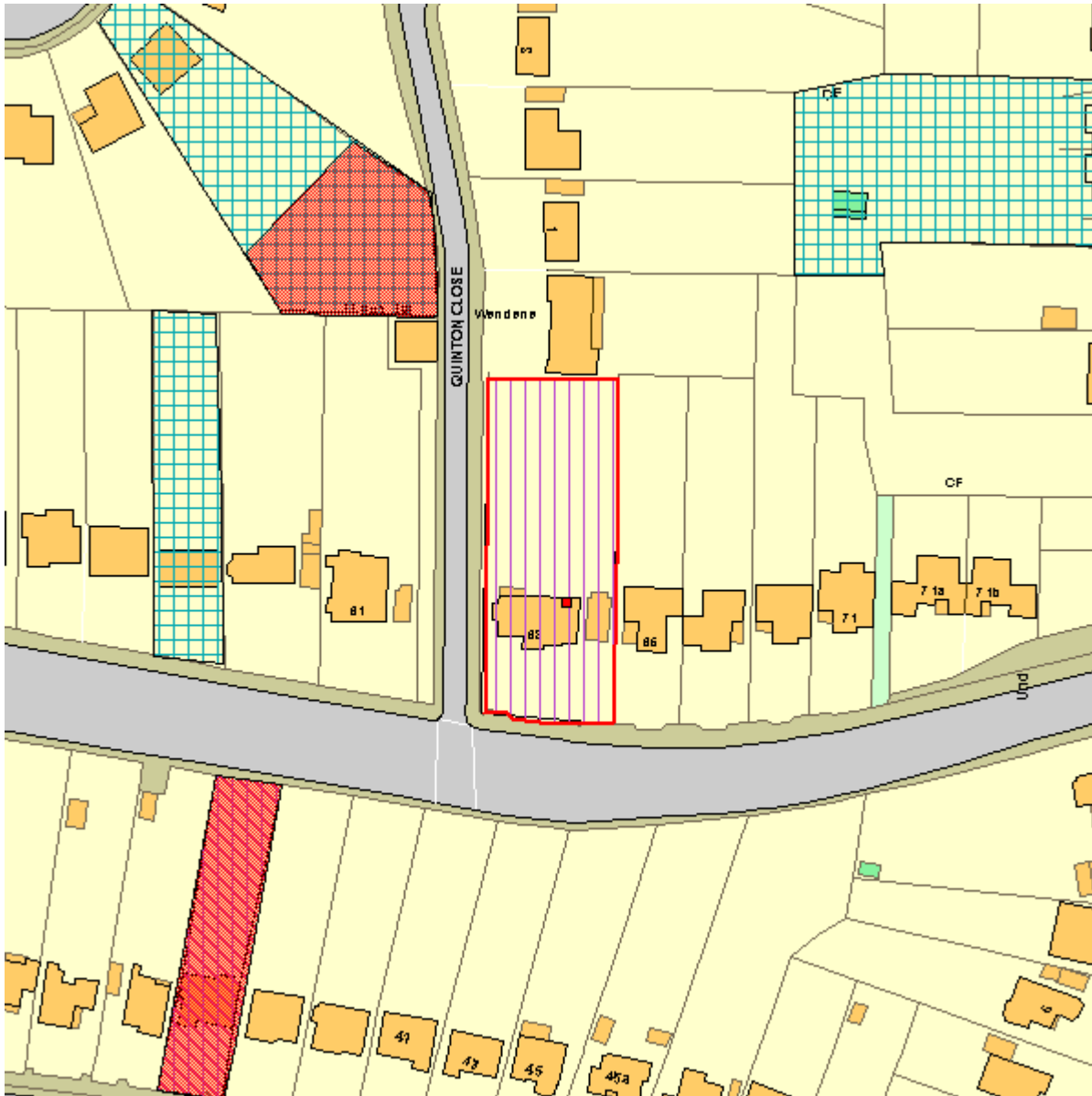
Policies (The London Plan)

- 3A.1 Increasing London's supply of housing
- 3A.3 Maximising the potential of sites

PPG3 Housing

- D00003 If Members are minded to refuse planning permission the following grounds are suggested:
- 1 The proposal would be an overdevelopment of the site on land which is not previously developed resulting in a loss of garden land, out of character with the locality thereby detrimental to its visual amenities and character, contrary to Policies H7 and BE1 of the Unitary Development Plan and PPS 3.

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