

SECTION '2' - Applications meriting special consideration

Application No : 10/01829/FULL6

Ward:
Shortlands

Address : 81B Elwill Way Beckenham BR3 6RY

OS Grid Ref: E: 538823 N: 168104

Applicant : Mr David Haye

Objections : YES

Description of Development:

Retention of boundary enclosure comprising gate/piers and railings at front
RETROSPECTIVE APPLICATION

Key designations:

Area of Special Residential Character
Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
London City Airport Safeguarding
Tree Preservation Order

Proposal

- The application is retrospective and seeks the retention of the boundary enclosure comprising gate/piers and railings along the front property boundary which have a maximum height of 2.2 metres.
- Originally there were gates and railings in place however these have been upgraded in order to provide better security for the residents of this property, as outlined within the supporting documentation within the application.
- The additional height of the structure means that the development no longer falls within 'permitted development' tolerances, hence the application being submitted.

Location

The application site is located on the eastern side of Elwill Way which is within the Park Langley Area of Special Residential Character. The site hosts a newly built two

storey detached dwellinghouse which was granted planning permission under ref. 07/02108.

Comments from Local Residents

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

- the gates are unsuitable in Park Langley;
- no other property has been allowed to erect gates of such height;
- the gates draw unwelcomed attention to the property which is the opposite of what they are intended for;
- the original gates that were replaced were perfectly adequate for the job intended and the application should not be allowed just because of the person living there being a sporting celebrity;
- why has the height of the front railings not been increased to match the gates if they have been raised to prevent people from climbing over them;
- the addition of mesh to the gates has overstepped the mark;
- if the mesh was removed this would make the scheme more aesthetically pleasing this would be more acceptable.

Full text of the comments received can be seen on the file.

Comments from Consultees

From the point of view of the Highways Engineers, no objection was raised to the proposal. Although the height of the enclosure is above 1 metre and this impedes pedestrian visibility, when the gates are fully open the vehicular access frontage has a width of 5.0 metres which facilitates the pedestrian visibility. In addition to this, the pedestrian flow along Elwill Way is low, therefore reducing the risk of pedestrian / vehicular conflict.

Planning Considerations

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

- BE1 Design of New Development
- BE7 Railing, Boundary Walls and Other Means of Enclosure
- H10 Areas of Special Residential Character

No objection was raised in terms of the trees and hedges.

Planning History

In terms of relevant history, planning permission was granted under ref. 07/02108 for a replacement detached two storey dwelling at 24 Brabourne Rise and a new detached two storey dwelling with roof dormers fronting Elwill Way (which now forms 81B Elwill Way, the application site).

Conclusions

Members may consider that the main issues relating to the scheme is the impact it has upon the character of the area and the amenities of the occupants of surrounding properties.

Prior to the installation of the existing gates and railings, there were gates and railings that measured approximately 1.25 metres in height and spanned the width of the property frontage. Due to the circumstances of the applicant, these were not able to provide the occupiers with the required level of security therefore higher gates and railings were installed.

The Highways Engineers have raised no objection to the scheme on balance. Although it has been stated that any form of boundary enclosure above 1 metre in height can impede pedestrian visibility, when these particular gates are fully open the 5 metre width facilitates the pedestrian visibility, which reduces the possibility of pedestrian conflict.

On this basis, the impact of the gates upon the character of the area and streetscene is therefore the remaining issue to consider. Whilst the height of the gates is higher than boundary treatments can be built under 'permitted development' tolerances, hence the need for the planning application, the gates and railings are no higher than the adjacent fencing which adjoins the gates and forms the flank property boundary for 24 Brabourne Rise. As the gates are directly adjacent to the fencing, Members may consider that they appear as a continuation of the existing fencing albeit in a different material.

The gates themselves have railings that are spaced apart to allow for visibility through, and there is perforated aluminium sheet directly behind and attached to the railings. This aluminium sheet prevents direct and open views through the railings, however still allows general visibility through due to the perforated shapes.

When looking at the gates from directly next to them as well as from the opposite side of the road, it is possible to see through the perforated aluminium sheet, therefore it could be suggested that the gates and railings, along with the aluminium sheet, does not totally block the view of the host dwellinghouse.

In terms of the impact of the gates and railings upon the character of the area, the site is located within the Park Langley Area of Special Residential Character (ASRC). As such, any form of new development is expected to respect and complement the established and individual qualities of the individual areas. The general area is noted

as having the character of a garden estate given by the quality and appearance of the hedges, walls, fences and front gardens. The host dwellinghouse itself is a newly built property which is modern in character, with a front balcony with glass balustrade.

Members' Views are therefore requested in the determination of the application.

Background papers referred to during production of this report comprise all correspondence on file ref. 10/01829, excluding exempt information.

RECOMMENDATION: MEMBERS' VIEWS ARE REQUESTED

0 D00002 If Members are minded to grant planning permission, no conditions are suggested as the development is already in place.

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
BE7 Railings, Boundary Walls and Other Means of Enclosure
H10 Areas of Special Residential Character

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

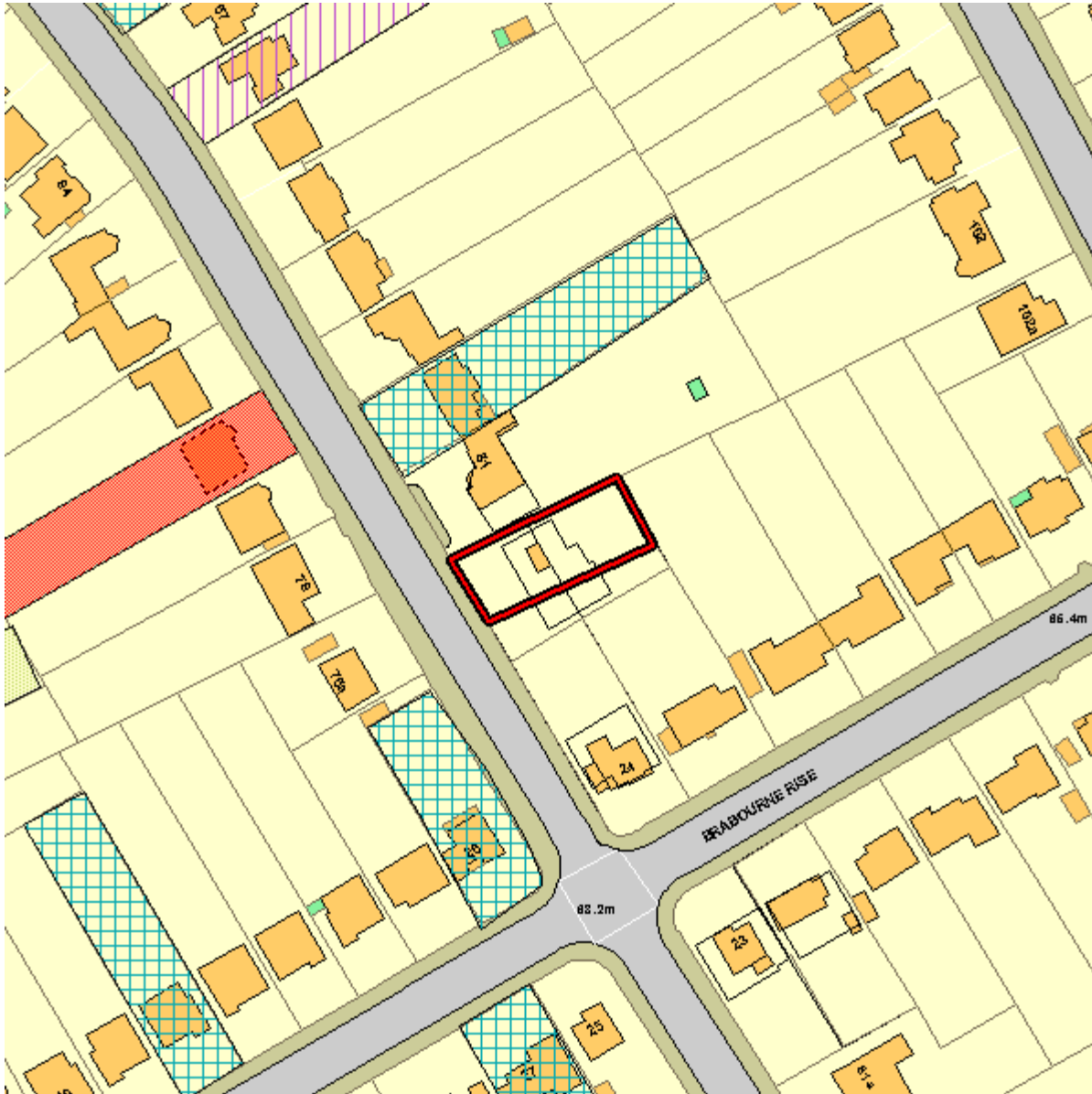
- (a) the appearance of the development in the street scene;
- (b) the appearance of the development in relation to the character of the area of special residential character;
- (c) the relationship of the development to the adjacent properties;
- (d) the character of development in the surrounding area;
- (e) the impact on the visual amenities of the occupiers of adjacent and nearby properties;
- (f) the transport policies of the development plan;
- (g) and having regard to all other matters raised including concerns from neighbours.

D00003 If Members are minded to refuse planning permission the following grounds are suggested:

1 The gates and railings are detrimental to the character and appearance of the streetscene and the Area of Special Residential Character that the site is located within, contrary to Policies BE1, BE7 and H10 of the Unitary Development Plan.

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RETROSPECTIVE APPLICATION



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