

SECTION '2' – Applications meriting special consideration

**Application No :** 12/03229/FULL1

**Ward:**  
**Biggin Hill**

**Address :** 30 Aperfield Road Biggin Hill TN16 3LU

**OS Grid Ref:** E: 542450 N: 158768

**Applicant :** Dean Doughty

**Objections : NO**

**Description of Development:**

Demolition of existing dwelling and erection of 2 two storey three bedroom semi detached houses

**Proposal**

- Planning permission is sought for the demolition of the existing dwelling and the erection of 2 semi-detached two storey dwellings.
- The proposed dwellings would have a maximum height of 7.8m (8.1m previously refused), a depth of approx. 14.5m and a width of approx. 6.7m each with a minimum side space of approx. 1m maintained to the flank boundaries.
- A lowered eaves level with first floor dormers is proposed to minimise height and bulk and a hardstanding is proposed at the front to provide car parking with an enlarged access onto Aperfield Road.

**Location**

The application property is a bungalow sited on the western side of Aperfield Road. The area is characterised by a mix of detached and semi-detached single storey and two storey family dwellings sited within generously sized plots.

**Comments from Local Residents**

Nearby owners/occupiers were notified of the application and no representations were received.

**Comments from Consultees**

No technical highways objections are raised. The layout of crossovers will need to be agreed with Area Management and standard conditions are suggested.

No Thames Water objections are raised subject to informatives.

No Environmental Health or technical drainage comments have been received. Any late comments will be reported verbally at the meeting.

## **Planning Considerations**

Policies relevant to the consideration of this application are BE1 (Design of New Development), BE8 (Statutory Listed Buildings), H7 (Housing Density And Design), H9 (Side Space), T3 (Parking) and T18 (Road Safety) and NE7 (Development And Trees) of the adopted Unitary Development Plan.

The National Planning Policy Framework and the following London Plan policies are also considerations.

3.4 Optimising Housing Potential

3.5 Quality and Design of Housing Developments

## **Planning History**

Planning permission was granted under ref. 03/04243 for 2 semi-detached three bedroom houses with integral garages at No. 45.

Planning permission was granted under ref. 06/02650 for demolition of existing dwelling and erection of 2 two storey three bedroom semi detached houses at No. 49

Planning permission was granted under ref. 03/04319 for demolition of existing dwelling and erection of 2 four bedroom detached dwellings with integral garage and associated parking at No. 67.

Planning permission was refused under ref. 12/01613 for demolition of existing dwelling and erection of 2 two storey three bedroom semi detached houses. The refusal grounds were as follows:

‘The proposal would result in the unsatisfactory sub-division of the existing plot, out of character and appearance with the locality and constituting a retrograde lowering of the spatial standards to which the area is at present developed, contrary to Policies H7, H9 and BE1 of the Unitary Development Plan.

The proposal, by reason of its design and excessive height and bulk, would result in an overdevelopment of the site, detrimental to the character and appearance of the street scene and wider area, contrary to Policies BE1 and H7 of the Unitary Development Plan.

The proposal, by reason of its bulk and proximity to the flank boundary, would result in a detrimental impact on the amenities currently enjoyed by the occupants of No. 32 Aperfield Road by way of loss of daylight and prospect, contrary to Policies BE1 and H7 of the Unitary Development Plan.’

## **Conclusions**

The main issues relating to the application are whether a satisfactory quality of accommodation and amenity for future occupiers would be provided; the effect that the development would have on the character of the area and the impact that it would have on the amenities of the occupants of surrounding residential properties. Further considerations are the impact of the proposed development on conditions of highway safety and the impact on trees.

The predominant character of the area is relatively spacious detached dwellings. Although the principle of a pair of detached dwellings may not be objected to, the prevailing character of the immediate area would mean that the sub-division of this plot would be considered to result in a retrograde lowering of spatial standards and a development that is out of character in terms of the resulting plot widths. The subdivision in the manner proposed would result in two plots that are less spacious than the prevalent character of the area, each approximately 7m in width at the front of the site. This aspect of the proposal has not altered from the previously refused scheme and is therefore remains unacceptable as it formed the first ground of refusal.

On balance, the proposal is considered harmful in that it would set a precedent for possible further developments within the locality, particularly on similar sites which are characteristically spacious and this would be detrimental to the existing spacious character of the area.

A similar proposal was refused at No. 30 Village Green Avenue under ref. 11/00965 and permission was subsequently granted for 3 detached dwellings replacing both Nos. 28 and 30, which provided 3 larger plots in respect to the wider area, and these plots are wider than the ones currently proposed.

It is noted that several examples of sub-divisions exist to the south on Aperfield Road, however the character and spatial standards of the immediate locality of the site is considered to be of a higher level of spaciousness.

When considering the application in respect to the NPPF, underutilised land is potentially capable of being developed at a higher density, even if this land is currently a residential garden. This can enhance the character and quality of an area when well designed and, crucially, when built in the right locations. It is considered that building in this location would not respect or enhance the character of the area and would lower the established spatial standards and this site is not one where an increase in density could be suitably achieved as proposed.

Concerning design, the proposal seeks to maximise the plot in terms of height, width and number of bedrooms, however compared to the previous proposal the roof height has been reduced from 8.1m to 7.8m and this is considered to be similar in height to No. 26. The dwellings would not be significantly taller than those around them and the height of the proposed development would not be excessively bulky in relation to the character of the area.

In respect to the amenities of neighbouring properties, the proposal includes an increase in roof height compared to the existing building which will impact on the outlook and light to neighbouring properties, and both immediate neighbours

possess flank facing windows to the site. These obscure windows appear to serve a staircase at No. 26 (with an obscure flank garage window) and a large clear bedroom window and smaller one at No. 32. At present, there is a 7m separation between this window and the side wall of the house. The introduction of a flank wall in closer proximity to the flank boundary will result in an impact on the daylight and prospect to the large flank window of the bungalow at No. 32, with a two storey wall sited only 3.3m from this window. The siting of the pair of semi-detached dwellings has been altered from the previously refused scheme, with a set back of 1.2m from the previous siting. This set back provides a better outlook from this window and although there is no right to a view, the impact on this neighbour must be carefully considered. The proposal will be sited to the north and therefore no loss of sunlight would result, however there will be a visual impact and a loss of outlook. Having said this, the separation and set back is considered to be less severe and on balance the relationship is considered to be acceptable, with the flank wall extending approx. 3m forward of the side garage at No. 30 therefore retaining a reasonable outlook to the side from this window.

The front windows at No. 26 will be separated from the site and although the building will be in advance of the first floor windows at No. 26, the siting of these front windows away from the flank boundary is considered to result in an acceptable relationship.

To the rear of the site it is considered on balance that the separation to the properties on Village Green Avenue is ample to prevent serious overlooking from the proposed rear dormers (separation of over 50m).

Having regard to the above, it was considered that the development would result in an unsatisfactory development of the site resulting in a lowering of spatial standards and a harmful impact on the character of the area. The revised scheme has not addressed the first refusal ground of the previous decision. It is therefore recommended that Members refuse planning permission.

Background papers referred to during production of this report comprise all correspondence on files refs. 12/01613 and 12/03229, excluding exempt information.

## **RECOMMENDATION: PERMISSION BE REFUSED**

The reasons for refusal are:

- 1 The proposal would result in the unsatisfactory sub-division of the existing plot, out of character with the locality and constituting a retrograde lowering of the spatial standards to which the area is at present developed, contrary to Policies H7 and BE1 of the Unitary Development Plan.

## **INFORMATIVE(S)**

- 1 You are advised that this application is considered to be liable for the payment of the Mayoral Community Infrastructure Levy under the Community Infrastructure Levy Regulations (2010) and the Planning Act

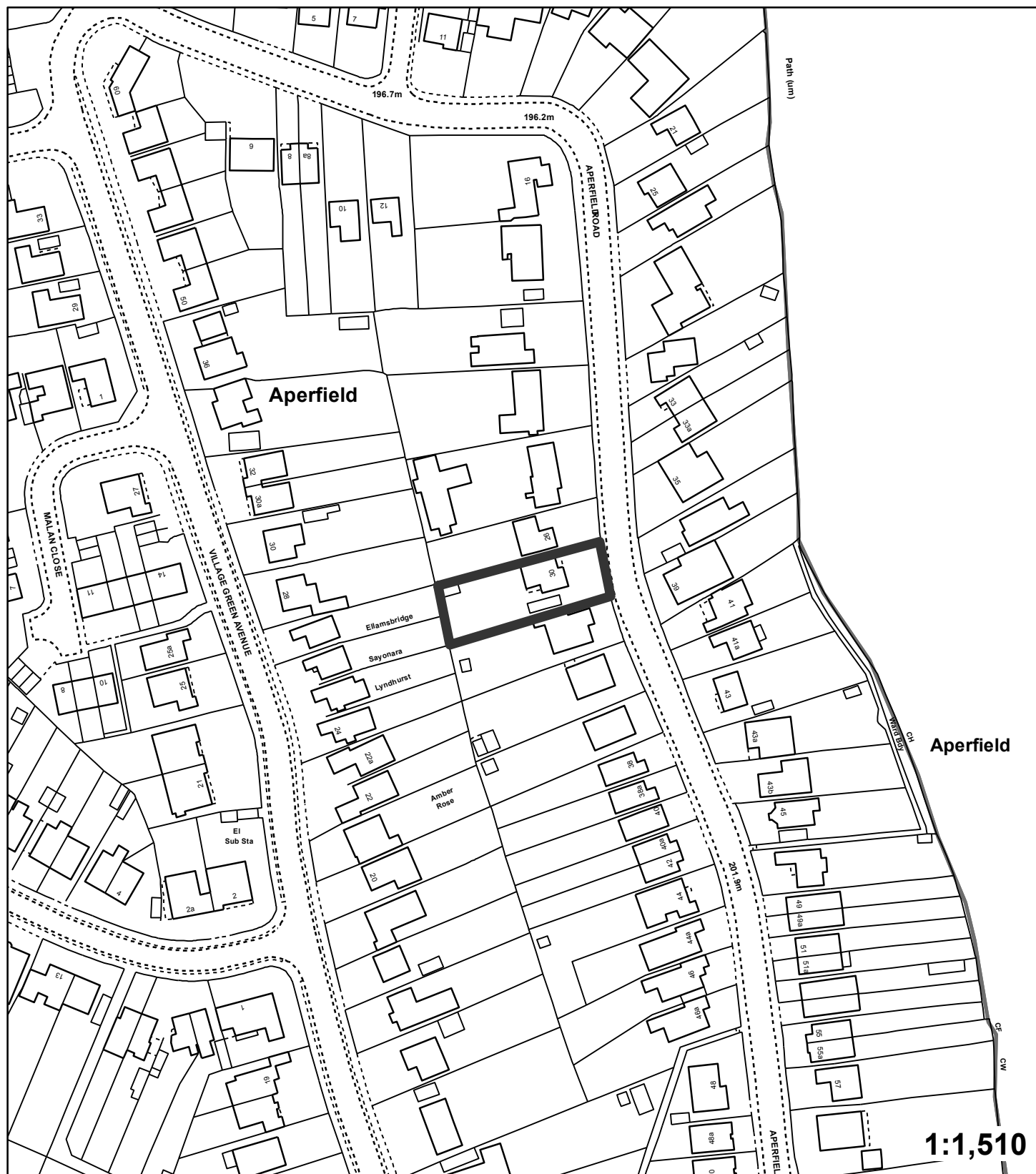
2008. The London Borough of Bromley is the Collecting Authority for the Mayor and this Levy is payable on the commencement of development (defined in Part 2, para 7 of the Community Infrastructure Levy Regulations (2010)). It is the responsibility of the owner and /or person(s) who have a material interest in the relevant land to pay the Levy (defined under Part 2, para 4(2) of the Community Infrastructure Levy Regulations (2010)). The Levy will appear as a Land Charge on the relevant land with immediate effect.

If you fail to follow the payment procedure, the collecting authority may impose surcharges on this liability, take enforcement action, serve a stop notice to prohibit further development on the site and/or take action to recover the debt.

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"This plan is provided to identify the location of the site and should not be used to identify the extent of the application site"

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