

SECTION '2' – Applications meriting special consideration

Application No : 12/03630/FULL6

Ward:
Kelsey And Eden Park

Address : 75 Kenwood Drive Beckenham BR3 6QZ

OS Grid Ref: E: 538427 N: 168678

Applicant : Mrs Julia Dabrowa

Objections : YES

Description of Development:

Replacement boundary fence, gate at rear maximum height 2.4 metres

Key designations:

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

Proposal

- The proposal seeks permission for a replacement boundary fence along the rear of the application site fronting Quinton Close.
- The proposed replacement fence will span the rear property boundary of 75 Kenwood Drive, in total measuring approximately 23 metres in length; however, can be split into 3 separate sections.
- The first section will be closest to the property boundary shared with the electricity sub station, and this length of fencing will measure approximately 5.78 metres of fencing which would be 1800mm high timber fencing and 600mm high trellis above.
- The second section of replacement boundary treatment will be in the form of double gates, measuring approximately 1.22 metres in width and will match the height of the rest of the replacement fencing.
- The third section of replacement boundary treatment will be the largest section, measuring approximately 16 metres in length and again 1800mm in height for the fencing and trellis above measuring an additional 600mm in height.
- All of the replacement boundary enclosure will measure 1.8 metres in height for the timber fence and an additional 600mm of trellis, measuring a maximum of 2.4 metres in height.
- The application is accompanied by a Quaipe Woodlands arboricultural report and planning statement which seeks to address previous concerns.

Location

The application site is located on the south-eastern side of Kenwood Drive and hosts a detached family dwellinghouse with a substantial rear garden. The southern part of the rear property boundary adjoins Numbers 59 and 61 Hayes Lane, Beckenham, and the eastern part of the rear property boundary runs along Quinton Close.

The proposal seeks permission to replace the element of the property boundary which fronts Quinton Close.

Comments from Local Residents

In line with normal procedure nearby properties were notified and representations were received which can be summarised as follows:

- access for a lawn motor is available via the front of the property, rather than the rear.
- why are double gates required for pedestrian access?
- this application is a cover for future development at the rear of the site.
- access to the garden has never existed and should not be allowed
- the hedgerow is of remarkable quality and should not be removed
- the garden access would be onto private land.
- arboricultural report says no damage to hedgerow will occur, but cannot see how this is possible.
- removal of young hawthorns
- once access is approved, there would be pressure for an additional pathway across the grass
- would set precedent for other households in Kenwood Close to seek access from rear gardens
- destroy vista across Quinton Gardens
- loss of privacy to residents in Quinton Gardens
- applicant would use access in connection with his building trade
- numerous objections have already been made in the past about the access onto Quinton Close
- application should be refused

The full text of correspondence received is available to view on file.

Comments from Consultees

There are no technical Highway objections

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 Railings, Boundary Walls and Other Means of Enclosure
NE9 Hedgerows and Development

London Plan 2011

National Planning Policy Framework 2012

Planning History

An application for a detached bungalow was refused in 1982 and subsequently dismissed at Appeal under ref. 19/82/2195.

Under ref. 94/00203, planning permission was refused for a detached four bedroom house with a detached garage. A revised scheme for a four bedroom detached house with garage was submitted under ref. 94/01551 was also refused.

An appeal was lodged against the Council's refusal to grant planning permission for ref. 94/01551. The Inspector noted that the character of the area was established by detached dwellings of varying design which were set close to the road frontage with a generally consistent building line. He concluded that an important element of the quality of the area was that the fact the rear gardens of properties fronting Kenwood Drive extend up to Quinton Close and are separated from the Close by the mature hedgerow. The proposed development was therefore considered to lead to an impact upon the existing character which would be harmfully eroded.

Following this, permission was refused under ref. 05/01657 for a detached four bedroom house with integral garage. This was dismissed at Appeal, with the inspector concluding that the development would compromise the spatial quality of the immediate locality, and the loss of a section of the hedge would represent further erosion of the character and appearance of the area.

An application for a replacement boundary fence with pedestrian access onto Quinton Gardens was submitted under ref. 11/03171. This application was withdrawn prior to being presented to plans sub committee with a recommendation for refusal.

The proposed refusal reasons were:

"The proposed replacement boundary treatment would result in the loss of the existing hedgerow which would erode the setting and spaciousness of Quinton Close and would harm the character and appearance of the area, having a detrimental impact upon the semi-rural nature of Quinton Close, thereby contrary to Policies BE1, BE7 and NE9 of the Unitary Development Plan."

"The proposal would involve the loss of vegetation of considerable amenity value, contrary to Policies BE7 and NE9 of the Unitary Development Plan."

Conclusions

The main issues in this case are whether the proposed fence and gate is acceptable in principle in this location, and the likely impact the development would have on the character and appearance of the surrounding area and amenities of neighbouring residential properties.

This application is a resubmission of withdrawn application ref. 11/03171. The applicant has made the following amendments to the scheme:

- Relocation of the third 16m section of fence back 0.3m into the rear garden.
- Fence will be painted green
- Submission of an arboricultural report

The fence remains of the same overall height (2.4m), width (23m in total) and design incorporating close board fence with trellis above.

Policy BE7 of the Unitary Development Plan is relevant where replacement boundary treatments are proposed. This policy seeks to ensure that a proposal will involve the retention of plantings and hedgerows where they form an important feature of the streetscape, and any proposal will be resisted where the construction of high or inappropriate boundary enclosures will erode the open nature of the area or would adversely impact on local townscape character.

Policy NE9 is also of particular relevance in this instance, and the Council would expect the retention and beneficial management of any existing hedgerow with any form of development proposal as they can provide significant screening and softening especially when used for defining boundaries. The Council will resist the removal of significant hedgerows, and Members may consider that this is relevant for the current application. The existing hedgerow is a long-standing feature along this particular boundary with 75 Kenwood Drive and Quinton Close, and Members may consider that it should be protected throughout any development proposals.

In terms of the impact of the proposal on the character and appearance of the area, the area for the proposed replacement fencing is screened by a mature and well-established high hedge and trees. Concern had been raised within the previous application (11/03171) as to the loss of significant sections of the hedgerow. In order to address these concerns, the applicant has repositioned part of the fence 0.3m rearward into the site and submitted an arboricultural report which states that the revised proposal “will not result in the removal of any of established hedge” and “furthermore, the proposed installation of the fence and gateway would not cause any material harm to the existing hedges” (para 6.4). It is therefore considered, that the position of the fencing may not result in harm to the hedgerow. However, the appearance of the fence and its impact upon the character of Quinton Close remains a consideration.

The treatment of boundaries, particularly frontages to a roadside, is considered to have a major impact upon the appearance of an area, which is largely appreciated from the public realm. Where new or replacement boundary treatments are proposed, these should reflect the height, scale, materials and detailing already evident in extant examples in the locality. In this instance, it is considered that the proposed 2.4 metre high fencing and trellis would be clearly visible through the

existing vegetation which would be out of keeping within the area, eroding the verdant nature of the application site and Quinton Close in general. Whilst the applicant has stated that the need for the fence is to improve security and privacy from the rear garden, a 2.4m high enclosure is considered unnecessarily high and that a lower fence would be sufficient. The relocation of part of the fence rearward or confirmation of its final colour finish is not considered to sufficiently address previous concerns and therefore remains unacceptable.

In addition to the fence, a 1.22m wide entrance gate is proposed onto Quinton Close. The applicant has stated that this is to allow access for a sit down lawn mower and also to allow faster pedestrian access to both Shortlands Library and rail station. The creation of the access would involve the removal of 4 young hawthorn trees. The arboricultural report has found these trees to be of limited value and as such, Members are asked to consider if their removal and the subsequent gap in the hedge row would be acceptable with regard to the impact on Quinton Close.

In terms of additional impacts, the creation of an access may also arise in increased pedestrian movement within Quinton Close on a frontage which was not intended to have accesses.

Members may therefore consider that the proposed replacement 2.4m high fence and trellis represents a method of enclosure which erodes the landscaped and semi-rural nature of Quinton Close which is considered to provide a high quality residential environment, whilst the arboricultural report submitted states that there would be no material harm to the hedge, the fencing is considered to remain visible especially in winter months and therefore have an impact upon the character of Quinton Close, contrary to policies BE7 and NE9 of the Unitary Development Plan.

Background papers referred to during production of this report comprise all correspondence on files refs. 11/03171 and 12/03630, excluding exempt information.

RECOMMENDATION: PERMISSION BE REFUSED

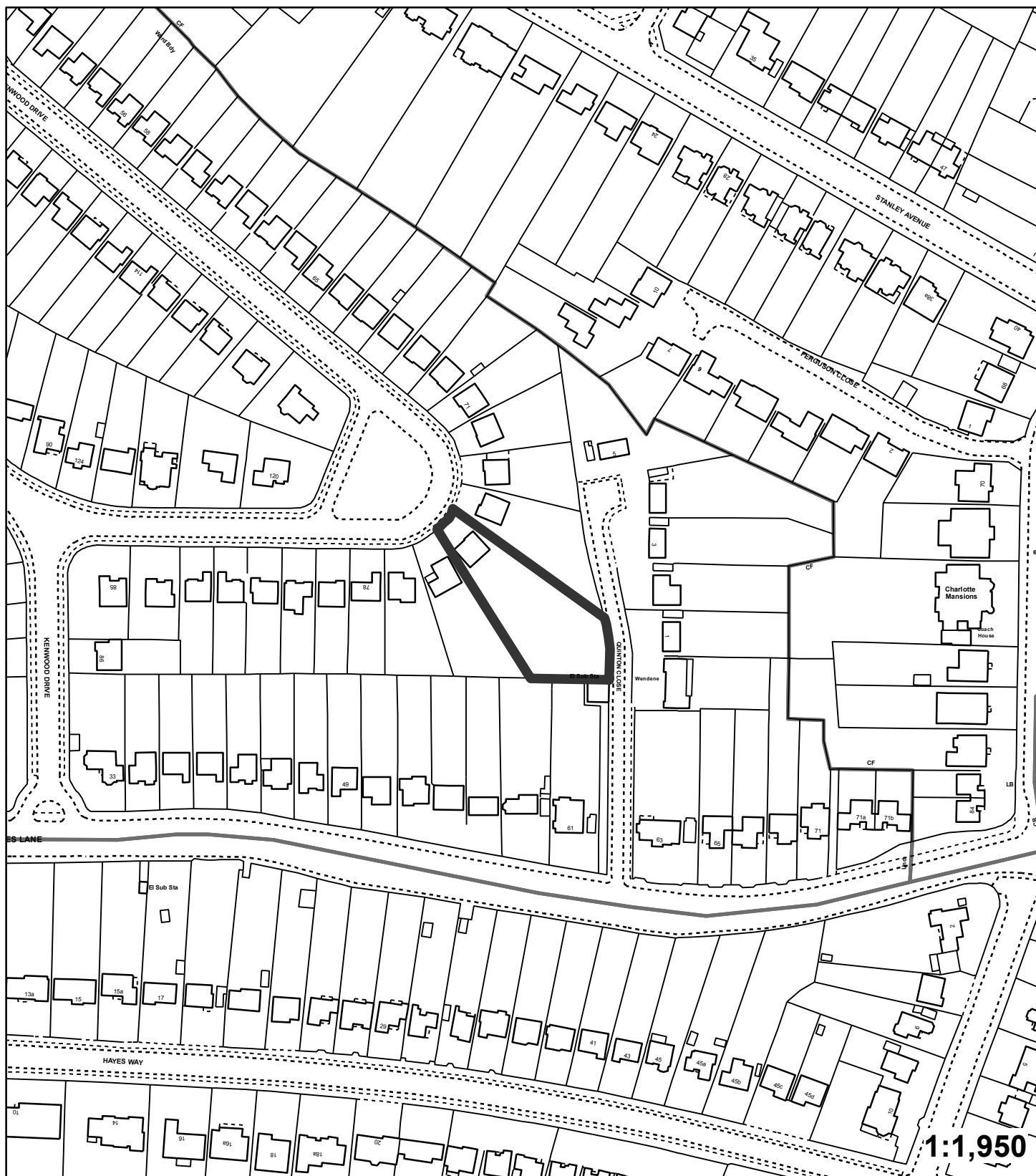
The reasons for refusal are:

- 1 The proposed replacement boundary treatment would by reason of its height and prominence, erode the setting and spaciousness of Quinton Close and would harm the character and appearance of the area, having a detrimental impact upon the semi-rural nature of Quinton Close, thereby contrary to Policies BE1, BE7 and NE9 of the Unitary Development Plan.

Application:12/03630/FULL6

Address: 75 Kenwood Drive Beckenham BR3 6QZ

Proposal: Replacement boundary fence, gate at rear maximum height 2.4 metres



"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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