

Section '3' - Applications recommended for PERMISSION, APPROVAL or CONSENT

Application No : 13/00228/FULL1

Ward:
Hayes And Coney Hall

Address : 53 Kechill Gardens Hayes Bromley BR2
7NB

OS Grid Ref: E: 540392 N: 167128

Applicant : Image Property Management.

Objections : YES

Description of Development:

Demolition of two storey extension and erection of two storey detached dwelling together with associated work to provide off street parking.

Key designations:

Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
London City Airport Safeguarding
River Centre Line

Proposal

This application proposes a two storey detached dwelling with on-site parking and associated vehicular access on land at 53 Kechill Gardens. It has been submitted following a previous refusal under planning ref. 12/03353.

There was an existing two storey, flat roof side extension to No. 53 which has been demolished as part of the proposal. A street elevation has been submitted as part of the application which demonstrates that the ridge height of the proposed dwelling will not exceed the highest part of the ridge to No.53. Side space of minimum 1m will be provided to the north boundary. The boundary to the south proposes an approximately 2.5m side space to the front of the dwelling with the boundary tapering off to propose a minimum of 2.25m side space to the rear.

A 36m rear garden with a minimum width of 8m is proposed.

Location

The site is a semi-detached two storey dwelling house located to the northern end (cul-de-sac) and on the west side of Kechill Gardens. The immediate vicinity comprises a mix of semi-detached two storey and bungalow development and includes a variety to detail of roof design.

Comments from Local Residents

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

- out of character
- cause imbalance to the cul-de-sac
- parking is an issue in Kechill Gardens and Oakmead Avenue
- access for emergency vehicles
- impact on amenities of occupiers of surrounding properties
- two houses on one plot is unacceptable / overdevelopment / overcrowded
- if permission granted the house could be further extended
- land grabbing
- green space swallowed up
- wish to object – detailed objections to follow

The full text of objections received are available to view on the file. Any additional detailed objections will be reported verbally to Committee.

Comments from Consultees

Highways Planning have been consulted and their comments note that the new dwelling house will be accessed via an existing vehicular crossover leading to the parking area. In addition the donor property can accommodate up to 2 cars within its curtilage therefore no Highways objections are raised to the proposal. Planning conditions are suggested in the event of a planning permission.

Planning Considerations

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

BE1 Design of New Development
H7 Housing Density and Design
H9 Side Space

Supplementary Planning Guidance 1
Supplementary Planning Guidance 2

Planning History

The planning history includes a previous refusal, ref. 03/03279, for a two storey side extension which proposed a minimum 1 metre side space. The ground of refusal being:

‘The proposed extension, by reason of its size and design, would be out of character and detrimental to the visual amenities of the area, contrary to Policy H.3 of the adopted Unitary Development Plan and Policy H8 of the second deposit draft Unitary Development Plan (September 2002)’.

A subsequent application, ref. 12/02589, for a part one/two storey side and rear extension was granted planning permission in October 2012 which proposed a 3.7m side space to the southern boundary.

Most recently planning application ref. 12/03353 was refused permission for the following reason:

'The proposal represents an overdevelopment of the site harmful to the spacious character of the surrounding area thereby contrary to Policy BE1 of the Unitary Development Plan and Policy 7.4 of the London Plan'.

Conclusions

The main issues relating to the application are the impact that it would have on the amenities of the occupants of surrounding residential properties, the effect that it would have on the character of the area, and whether the proposed scheme has sufficiently addressed the previous grounds of refusal.

In terms of the impact of the development on neighbouring amenities, the proposed dwelling respects the existing front building line of adjacent development; it protrudes approximately 1.5m beyond the rear building line and is c 2.2m (minimum) from the southern boundary. A first floor flank window is proposed to the northern boundary which will serve a bathroom and can be obscure-glazed. Two small flank windows are proposed to the northern boundary at ground floor and one to the southern boundary. Given the size, siting and design of the proposed dwelling it is not considered that the scheme will have such a negative impact on neighbouring amenities to warrant a planning refusal in this respect.

In respect of the effect that the development would have on the character of the area it should be noted that the previous grounds of refusal were concerned with overdevelopment of the site and harm caused to the spacious character of the surrounding area. Neighbour concerns continue to be raised in respect of overdevelopment of the site. The introduction of a new dwelling in this location will undoubtedly have an impact. This current scheme has been reduced in footprint which will allow for a greater side space to the southern boundary (2.5m maximum) and for the front two storey element to sit slightly behind that of the adjacent dwellings whilst a single storey front bay window and covered porch element sits to the established front building line. The roof design has been changed from a gable design to a hip roof. The supporting statement highlights different housing designs in Kechill Gardens and suggests that this revised design references the character and scale of nearby dwellings.

Planning Policy BE1 requires that development should be imaginative and attractive to look at and should complement the scale, form, layout and materials of adjacent buildings. Government guidance, and that contained within the London Plan, require Councils to maximise the best use of urban land where appropriate when considering new residential developments. Guidance also advises that development should be sought that allows existing buildings and structures that make a positive contribution to the character of a place to influence the future character of the area. It also states that development should have regard to the

form, function, and structure of an area, place or street and the scale, mass and orientation of surrounding buildings.

It should be noted that the planning history does allow for a substantial two storey side extension to the existing house with a side space to the southern boundary c 3.7m. The current proposal offers a 1m minimum side-space to the north and 2.2 – 2.5m to the south boundaries.

Although local concerns are raised in respect of highways issues given the scheme's on-site parking provision for the proposed and the host dwellings no objections have been raised by Highways Planning; planning conditions are proposed in the event of a planning permission.

Given the previous ground of refusal, whilst it is acknowledged that a new dwelling in this location will result in an impact locally, it may be considered, in the light of relevant planning policy and the reduced scheme now submitted, that the previous grounds of refusal have been addressed and the proposed development will not cause such harm to the character and spaciousness of the area as to warrant a planning refusal in this respect.

In the event of a planning permission it should be noted that the development will be CIL (Community Infrastructure Levy) liable.

Background papers referred to during production of this report comprise all correspondence on files refs. 03/03279, 12/02589, 12/03353 and 13/00228, excluding exempt information.

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- 1 ACA01 Commencement of development within 3 yrs
 ACA01R A01 Reason 3 years
- 2 ACA04 Landscaping Scheme - full app no details
 ACA04R Reason A04
- 3 ACA07 Boundary enclosure - no detail submitted
 ACA07R Reason A07
- 4 ACC01 Satisfactory materials (ext'nl surfaces)
 ACC01R Reason C01
- 5 ACI02 Rest of "pd" Rights - Class A, B,C and E
Reason: In order to comply with Policies H8 and BE1 of the Unitary Development Plan and in the interest of the neighbouring amenities.
- 6 ACH03 Satisfactory parking - full application
 ACH03R Reason H03
- 7 ACH16 Hardstanding for wash-down facilities
 ACH16R Reason H16
- 8 ACH32 Highway Drainage
 ADH32R Reason H32
- 9 No loose materials shall be used for surfacing of the parking and turning area hereby permitted.

Reason: In the interest of highway safety.

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| 10 | ACI08 | Private vehicles only |
| | ACI08R | Reason I08 |
| 11 | | Before the development hereby permitted is first occupied the proposed window(s) to the first floor south elevation shall be obscure glazed incapable of being opened other than by a top opener in accordance with details to be submitted to and approved in writing by the Local Planning Authority and details of any openings shall be submitted to and approved in writing by the Local Planning Authority and shall subsequently be permanently retained in accordance with the approved details. In the interests of the privacy of adjoining properties any openings should be at high level. |
| | CI11R | Reason I11 (1 insert) BE1 |
| 12 | ACK01 | Compliance with submitted plan |
| | ACC01R | Reason C01 |
| 13 | AJ02B | Justification UNIQUE reason OTHER apps |

Policies (UDP)

- | | |
|-----|----------------------------|
| BE1 | Design of New Development |
| H7 | Housing Density and Design |
| H9 | Side Space |

Supplementary Planning Guidance 1
Supplementary Planning Guidance 2

INFORMATIVE(S)

- 1 You should contact extension 4621 (020 8313 4621 direct line) at the Environmental Services Department at the Civic Centre with regard to the laying out of the crossover(s) and/or reinstatement of the existing crossover(s) as footway. A fee is payable for the estimate for the work which is refundable when the crossover (or other work) is carried out. A form to apply for an estimate for the work can be obtained by telephoning the Highways Customer Services Desk on the above number.
- 2 You are advised that this application may 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)).

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.

Further information about Community Infrastructure Levy can be found on attached information note and the Bromley website www.bromley.gov.uk/CIL

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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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