

SECTION '2' – Applications meriting special consideration

Application No : 13/00339/FULL1

Ward:
Clock House

Address : Phantasy 17 Allen Road Beckenham
BR3 4NU

OS Grid Ref: E: 535732 N: 169176

Applicant : McCullochs

Objections : YES

Description of Development:

Demolition of existing bungalow and erection of two 2 bedroom and one 1 bedroom dwelling with 3 car parking spaces.

Key designations:

Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
London City Airport Safeguarding
Urban Open Space

Proposal

Planning permission is sought to demolish the existing bungalow and to erect a terrace of 3 three bedroom two storey houses. A total of 3 car parking spaces are proposed to the front and each property would have a rear garden of extending between 17m and 18m in depth. The footprint of the terrace would have a maximum depth of approx. 10.5m c.0.5m less deep than the newly constructed terrace at No.19 and approx. 1.5m beyond the rear building line at No.15. The max. height of the houses would be 6.65m. The design of the house would be simple and modern, featuring large windows at front and rear and a low profile shallow pitched roof that would extend to a max. of 6.65m in height (eaves height approx. 5m). A side space of 1.2m would be retained to the boundary with No.19 and 1.18m to the boundary with No.15. No windows are shown in the elevation facing No. 15 although the front door to this house (plot1) is located here. To the other elevation facing No.19 there is 1 first floor window which serves a bathroom and this window is shown to be obscure glazed.

The application is accompanied with a Tree Survey and Design and Access Statement.

Location

The application site currently hosts a detached bungalow, located on the south eastern side of Allen Road. The existing property is situated on a plot between a two storey semi to the north east, and to the south west a row of 3 recently constructed terraced houses that were allowed on appeal under ref. 09/00266. The rear boundary of the application site adjoins allotments.

The surrounding area is residential in character. The majority of properties along this road do not benefit from off-street parking. The road is mainly fronted by two storey terraced properties which appear to be Victorian in character.

Comments from Local Residents

Nearby owners/occupiers were notified of the application and representations were received (including a petition) which can be summarised as follows:

- rear building line excessive
- excessive number of units proposed
- if permission is granted then permitted development rights should be removed to prevent future extensions
- the entrance door at the side of the house at plot 1 would reduce security of my property (No.15)
- no. of parking spaces proposed is inadequate and the proposal will increase parking congestion on Allen Road /Clement Road which will prejudice highway safety and access for emergency service particularly at the junction of Allen Road and Clement Road
- the completed development at No.19 should not be allowed to set a precedent
- the new development will have a larger footprint than the existing bungalow and will impede on our views
- the proposal will put extra strain on the drainage system
- loss of light sunlight and daylight to No.15

Comments from Consultees

Highways

The development would provide 3 off street parking spaces via a wide crossover from Allen Road. The parking ratio for terraced housing is 1:1.5 consequently 4 spaces are required; there is a shortfall of 1 space. However as most of Allen Road has no off-street parking and the development would provide 1 space per unit on balance this is acceptable, subject to standard conditions.

The applicant should be advised to contact Highway (Area Management) to rationalise the wide crossover to a more manageable width. Also there is a tree and a telephone pole which needs relocating.

From a tree perspective, this application is accompanied by an arboricultural report and the findings appear to be acceptable. Seven small trees will need to be removed to allow this development to take place but they are all graded C and are of no public amenity value. There is one grade B tree at the site and it is an ash,

towards the rear of the site and it would not be affected by this proposal. If permission is to be recommended it is suggested that standard conditions be imposed.

Environmental Health (Housing)

The first floor bathroom to plot 2 and the ground floor WC's to all three plots do not appear to be provided with natural ventilation. Adequate means of mechanical ventilation should therefore be provided.

Environmental Health (Pollution)

The following informatives should be added if permission is granted:

If during works on site suspected contamination is encountered, Public Protection should be contacted immediately. The additional contamination shall be fully assessed and an appropriate remediation scheme submitted to the Authority for approval in writing by it or on its behalf.

Before the use commences, the applicant is advised to contact the Pollution Team of Public Protection regarding compliance with the Control of Pollution Act 1974 and/or the Environmental Protection Act 1990.

Cleansing- Refuse and recycling to be left edge of curtilage on day of collection.

Drainage

Please impose D02 and add the following informative:

In order to check that the proposed storm water system meets our requirements, we require that the following information be provided:

- A clearly labelled drainage layout plan showing pipe networks and any attenuation soakaways.
- Where infiltration forms part of the proposed storm water system such as soakaways, soakage test results and test locations are to be submitted in accordance with BRE digest 365.
- Calculations should demonstrate how the system operates during the 1 in 30 year critical duration storm event plus climate change.

Planning Considerations

In considering the application the main policies are H1, H7, H9, BE1, T3, T11 and T18 of the Unitary Development Plan. These concern the housing supply and design of new housing/new development, side space, the provision of adequate car parking and new accesses and road safety.

Policy H1 (v) seeks to make most effective use of land. Policy H7 aims to ensure that new residential development respects the existing built and natural environment, is of appropriate density and respects the spatial standards of the

area as well as amenities adjacent occupiers, and allows adequate light penetration into and between buildings.

Policy BE1 requires a high standard of design in new development generally, and seeks to protect the amenities of the occupants of neighbouring properties.

Policy T3 seeks to ensure that off street parking provisions for new development are to approved standards. Policy T18 requires that issues of road safety are considered in determining planning applications.

Government guidance in the form of PPS3 "Housing", while emphasises the role of good design and layout to achieve the objectives of making the best use of previously developed land and improving the quality and attractiveness of residential areas, but without compromising the quality of the environment.

Planning History

Under planning ref. 11/03478, planning permission was refused for a similar proposal. A subsequent appeal was dismissed. The inspector identified 2 issues, (1) Impact on neighbours in terms of outlook and (2) Impact on character and appearance of locality. Overall it was considered that the proposal due to its height, bulk, depth and position behind general building line would be overbearing in relation to No.31 Clement Road and restrict day light and sunlight to No.15. Furthermore, its overlarge appearance would be bulky and incongruous feature in the street scene detracting from the character and appearance of the locality.

The recently constructed terrace of 3 constructed at No. 19 was also allowed on appeal

Conclusions

The current scheme appears to have taken on board many of the criticisms made by the Inspector in dismissing the previous application. The main changes to the current scheme are as follows:

- reduction in height of the houses from 8.1m previously to 6.65m, stepping down to 6.25m for the house on plot1
- (Plots 2&3) 2m reduction in the depth of the footprint from 12.4m to 10.4m at ground floor level and 11.95m to 9m at first floor level (excl. oriel window)
- (Plot 1) 3.3m reduction in depth of footprint adjacent to No.15 from 12.4m to 9.1m at ground floor level and 10.7m to 7.5m at first floor level
- oriel windows proposed for first floor rear elevation angled away from No.31 Clement Rd to restrict views into bedroom windows and garden of this property
- shallow pitched roof resulting in a reduction in the height and also reduces scope to provide second floor accommodation in future that could impact on neighbours amenity

- the side spaces maintained remain unchanged, however the Inspector did not consider this aspect was out of keeping

In making the above outlined changes, the floorspace of each of the houses (particularly plot1) have been reduced to just below minimum standards as set out in The London Plan (Housing Supplementary Planning Guidance November 2012) . Environmental Health have not however raised any objections with regards to this aspect of the proposal.

In this case, it is clear that there will be an impact on the street scene and to nearby properties as a result of this proposal and a judgement needs to be made about whether the impact is unduly harmful. Members will need to consider whether the proposal sufficiently addresses the previous appeal decision and comments received locally. On balance, it is considered that the current scheme addresses the previous concerns in respect of the scale of the development.

Background papers referred to during production of this report comprise all correspondence on files refs. 11/03478 and 13/00339, 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 | ACB01 | Trees to be retained during building op. | |
| | ACB01R | Reason B01 | |
| 5 | ACB02 | Trees - protective fencing | |
| | ACB02R | Reason B02 | |
| 6 | ACB03 | Trees - no bonfires | |
| | ACB03R | Reason B03 | |
| 7 | ACB04 | Trees - no trenches, pipelines or drains | |
| | ACB04R | Reason B04 | |
| 8 | ACC01 | Satisfactory materials (ext'nl surfaces) | |
| | ACC01R | Reason C01 | |
| 9 | ACD02 | Surface water drainage - no det. submitt | |
| | ADD02R | Reason D02 | |
| 10 | ACH03 | Satisfactory parking - full application | |
| | ACH03R | Reason H03 | |
| 11 | ACH12 | Vis. splays (vehicular access) (2 in) | 3.3 x 2.4 x 3.3m |
| | | 1m | |
| | ACH12R | Reason H12 | |
| 12 | ACH16 | Hardstanding for wash-down facilities | |
| | ACH16R | Reason H16 | |
| 13 | ACH22 | Bicycle Parking | |

- ACH22R Reason H22
- 14 ACH29 Construction Management Plan
- ACH29R Reason H29
- 15 ACH32 Highway Drainage
- ADH32R Reason H32
- 16 ACI02 Rest of "pd" Rights - Class A, B,C and E

Reason: In order to comply with Policies BE1 and H7 of the Unitary Development Plan and in order prevent an overdevelopment of the site in the interest of the visual and residential amenities of the area.

- 17 No windows or doors shall at any time be inserted in the north-eastern and south-western elevation(s) of the houses on Plots 1 and 3 of the development hereby permitted, without the prior approval in writing of the Local Planning Authority.

ACI17R 117 reason (1 insert) BE1

- 18 ACK01 Compliance with submitted plan

Reason: In order to comply with the terms of the permission, Policies BE1 and H7 of the Unitary Development Plan and in order prevent an overdevelopment of the site in the interest of the visual and residential amenities of the area.

- 19 AJ02B Justification UNIQUE reason OTHER apps

Policies (UDP)

- H1 Housing Supply
- H7 Housing Density and Design
- H9 Side Space
- BE1 Design of New Development
- T3 Parking
- T11 New Accesses
- T18 Road Safety

INFORMATIVE(S)

- 1 You are advised that it is an offence under Section 137 of the Highways Act 1980 to obstruct "the free passage along the highway" (which includes the footway i.e. the pavement). This means that vehicles parked on the forecourt should not overhang the footway and therefore you should ensure that any vehicle is parked wholly within the site.
- 2 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.
- 3 Street furniture/ Statutory Undertaker's apparatus "Any repositioning, alteration and/ or adjustment to street furniture or Statutory Undertaker's apparatus, considered necessary and practical to help with the forming of

vehicular crossover hereby permitted, shall be undertaken at the cost of the applicant.

- 4 If during works on site suspected contamination is encountered, Public Protection should be contacted immediately. The additional contamination shall be fully assessed and an appropriate remediation scheme submitted to the Authority for approval in writing by it or on its behalf.
- 5 Before the use commences, the applicant is advised to contact the Pollution Team of Public Protection regarding compliance with the Control of Pollution Act 1974 and/or the Environmental Protection Act 1990.
- 6 In order to check that the proposed storm water system meets our requirements, we require that the following information be provided:
 - A clearly labelled drainage layout plan showing pipe networks and any attenuation soakaways.
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 - Calculations should demonstrate how the system operates during the 1 in 30 year critical duration storm event plus climate change.
- 7 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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