

SECTION '2' – Applications meriting special consideration

Application No : 13/02016/FULL6

Ward:
Copers Cope

Address : 2 The Drive Beckenham BR3 1EQ

OS Grid Ref: E: 537158 N: 169389

Applicant : Mr Trevor Hadjimina

Objections : YES

Description of Development:

First floor side and rear extension to incorporate enlargement of existing roof

Key designations:

Areas of Archaeological Significance
Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
London City Airport Safeguarding
London City Airport Safeguarding Birds

Proposal

The proposed extension will form an L-shape and be situated to the southern and eastern sides of the original part of the dwelling. The extension will project 3 metres sideward and 3.3 metres to the rear and incorporate a hip-to-gable roof which will align with the original part of the house. The element to the rear will incorporate a flat roof. In effect this proposal will involve the removal of an existing first floor/roof extension which has been partially built to the southern side of the dwelling, above an existing single storey side extension.

Location

The application site is situated along the eastern side of The Drive, approximately 40 metres north of its junction with High Street, Beckenham. It is visible from the High Street, being the first dwelling along that side of the road, and benefits from a wide frontage, much of which is occupied by an existing side extension.

The southern boundary of the site adjoins an access drive which serves commercial properties to the rear of the High Street.

Comments from Local Residents

Representations were received from local residents, which are summarised as follows:

- overdevelopment
- poorly drafted plans
- house has already been over extended
- harmful to amenities of No 4 due to its bulk, massing and overshadowing
- house should be built out to within the building envelope as it stands or as has already been approved
- reference to a 'store' on the party wall GF rear: this was required by the LPA to be a 'cut-away' to restore some loss of amenity suffered by No 4

Comments from Consultees

Not applicable.

Planning Considerations

The proposal falls to be considered primarily with regard to the following policies:

BE1 Design of New Development
 H8 Household Extensions
 H9 Side Space

Planning History

There is an extensive planning and enforcement history associated with the application site, stretching from 1995 which is set out below.

95/01976 SINGLE STOREY SIDE/REAR EXTENSION PERMITTED

97/01718 SINGLE STOREY SIDE/REAR GABLE END ROOF AND REAR DORMER EXTENSIONS (RETROSPECTIVE APPLICATION) PERMITTED

98/00255 FIRST FLOOR SIDE EXTENSION WITH REAR DORMER WITHIN ROOF AND REAR DORMER AND SINGLE STOREY REAR EXTENSION PART RETROSPECTIVE APPLICATION REFUSED

98/01830 FIRST FLOOR SIDE EXTENSION REFUSED

99/03323 FIRST FLOOR SIDE EXTENSION WITH REAR DORMER WITHIN ROOF REFUSED

00/02092 FIRST FLOOR SIDE EXTENSION WITH ACCOMMODATION WITHIN ROOF. REFUSED

00/03485 SINGLE STOREY SIDE/REAR EXTENSION AND GABLE END/REAR DORMER EXTENSION (REVISIONS TO PERMISSION REF:

97/01718 COMPRISING INCREASED HEIGHT OF SINGLE STOREY SIDE EXTENSION AND REMOVAL OF PITCHED ROOF, INCREASED WIDTH OF PART OF SINGLE STOREY PERMITTED

02/03830 SINGLE STOREY SIDE/REAR EXTENSION AND GABLE
END/REAR DORMER EXTENSION REVISIONS TO PERMISSION 00/03485
REFUSED

04/03998 EXTENDED WIDTH TO EXISTING REAR DORMER AND 2M HIGH
WALLED ENCLOSURE ADJACENT TO NORTHERN BOUNDARY
RETROSPECTIVE APPLICATION REFUSED

04/03999 PITCHED ROOF TO EXISTING SINGLE STOREY SIDE
EXTENSION WITH ROOF TERRACE BEHIND, INFILL BETWEEN CHIMNEYS
ON GABLE TO MAIN ROOF, RETENTION OF GARDEN SHED IN REAR
GARDEN ADJACENT TO NORTHERN BOUNDARY
RETROSPECTIVE APPLICATION REFUSED

05/02509 PITCHED ROOF TO EXISTING SINGLE STOREY SIDE
EXTENSION WITH RAISED PARAPETS TO FRONT AND REAR AND
RETENTION OF EXISTING ROOF TERRACE BEHIND REFUSED

09/01764 FIRST FLOOR SIDE EXTENSION WITH ACCOMMODATION IN
ROOF SPACE. REFUSED

10/02153 FIRST FLOOR SIDE EXTENSION WITH SOLAR PANEL ON ROOF
REFUSED

10/03639 NEW ROOF TO EXISTING SINGLE STOREY SIDE EXTENSION TO
INCLUDE SOLAR PANELS PERMITTED

13/00216 FIRST FLOOR REAR EXTENSION REFUSED

The Council granted planning permission under ref 95/01976 for a single storey side/rear extension. Planning permission was subsequently granted under ref. 97/01718 for a single storey side/rear gable end roof and rear dormer extensions (retrospective application).

However, various alterations have been made to the approved schemes ranging from alterations to the approved ground floor extensions, roof alterations including gable end features and a rear dormer extension, to a number of applications for a first floor side extension of varying design and scale, which were refused under refs. 98/00255, 98/01830, 99/03323, 00/02092, 02/03830, 04/03998, 04/03999, 05/02509, 09/01764 and 10/02153. Subsequent appeals made in respect of the some of these applications and/or associated enforcement actions were all dismissed.

Enforcement issues

In December 2001 permission was granted under ref. 00/03485 for amendments to permission ref. 97/01718. The new permission required changes to the unauthorised works, in the form of conditions, which were required to be substantially completed by 30th June 2002. These included that No 3 that:

"The development hereby permitted shall not be carried out otherwise than in complete accordance with the attached plans approved under this planning permission unless previously agreed in writing by or on behalf of the Local Planning Authority."

The above conditions were not complied with and as a result on 2nd September 2003 a Breach of Condition Notice was served which required the following steps to be taken in order to comply with the Notice:

1. Remove the unauthorised part of the single storey extension (that part which extends beyond 3.5 metres adjacent to no. 4 The Drive, Beckenham;
2. Remove the infill extension between the two chimneys at roof level;
3. Set the rear dormer back from the flank wall of the gable end;
4. Tile hang the rear dormer in accordance with that permitted under ref. 00/03485;
5. Remove the unauthorised shed immediately adjacent to the rear extension;
6. Remove all structures above the permitted level of the single storey side extension (3.6 metres high to flat roof).

The owner/occupier of the site failed to fully comply with the Notice and as a result prosecution actions was pursued by the Council in July 2005. The Court found the occupier not guilty, however the occupier (as the person responsible) was found guilty of failing to comply with the Breach of Condition Notice.

To date steps 1 and 2 of the above Notice remain outstanding.

10/03639

Planning permission was granted for a "mansard" roof above the existing single storey side extension to include solar panels under ref 10/03639. Work commenced on that extension in the summer of 2012; however the Council subsequently issued Enforcement and Stop notices on the basis that a 2 storey extension was being constructed in lieu of the approved roof extension. The applicant appealed against the enforcement action and the Planning Inspector who considered the matter accepted, as argued by the appellant - in an Appeal Decision dated 7 December 2012 - that the upper section of walling so far constructed could support side sections of roofing illustrated in the approved plans. To date no further work appears to have been carried on the roof extension.

13/00216

Most recently, planning permission was refused for a first floor rear extension which was proposed above an existing single storey rear extension. The proposed addition would align with the existing as-yet uncompleted roof extension at the southern side (as approved under ref 10/03639), extending to a depth of 5.1m. It would maintain a separation of 2.0m (as scaled from the submitted plan) to the northern boundary which adjoins the property at No 4. The reasons for refusal related to the harm which would be caused to the amenities of the adjoining property at No 4; and due to the ensuing cramped overdevelopment of the site.

Conclusions

The main issues relating to the application are the effect that it 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.

As Members will be aware, this site is the subject of a considerable planning history, including enforcement action. The dwelling has been intermittently extended, but remains in an unfinished state and, as a result, the building appears unsightly and harms local visual amenity. This impact is made worse by its prominent position, being especially visible from the main High Street thoroughfare.

As noted above, enforcement action was most recently sought to remove the existing first floor/roof extension to the southern side of the dwelling. However, the Planning Inspector who considered the matter accepted the upper section of walling so far constructed could support side sections of roofing illustrated in the "mansard roof" extension approved under ref. 10/03639. To date no further work appears to have been carried on that extension and it remains incomplete.

This current application which, in effect will involve the removal of the existing first floor section of walling which would have accommodated a "mansard roof", will help to improve the overall visual amenities of the site. In its place permission is sought to construct a first floor extension of more conventional design which will project half way across the width of the existing ground floor side extension, and further 3.3m beyond the rear elevation of the original part of the house. Much of the existing first floor bulk will be removed and the finished scheme will appear more typical of the surrounding streetscene, including other houses which have been extended. The area to the side of the existing first floor extension will incorporate a flat roof, thereby helping to reduce the bulk of the development.

In comparison to the first floor rear extension refused under ref. 13/00216 the separation between the proposed extension and the boundary with No 4 has been increased from 2.0m to 2.8m and its depth reduced from 5.1m to 3.3m. These changes are considered to adequately address the concerns previously raised in relation to the impact on the amenities of the neighbouring property at No 4.

In conclusion it is considered that this proposal can potentially address long-term concerns relating to the appearance and unfinished state of the application site and its impact on local visual amenity. In order to ensure that the works are sympathetically undertaken, and to prevent any sub-division of the site, various conditions are suggested which are outlined below.

Background papers referred to during production of this report comprise all correspondence on files refs. 97/01718, 00/03485, 05/02509, 09/01764, 10/02153, 10/03639, 13/00216 and 13/02016, excluding exempt information.

RECOMMENDATION: GRANT PERMISSION WITH/WITHOUT CONDITIONS

- | | | |
|---|--------|--|
| 1 | ACA01 | Commencement of development within 3 yrs |
| | ACA01R | A01 Reason 3 years |

- 2 Before the development hereby permitted is commenced, the existing first floor side/roof walling to the southern side of the dwelling shall be demolished and all rubble removed from site.
ACC03R Reason C03
- 3 The first floor side/rear extension hereby approved shall be carried out as a single building operation and completed as one building operation.
ACC03R Reason C03
- 4 Unless otherwise agreed in writing by the Local Planning Authority the first floor and roof extension hereby approved shall not include any dormer.
ACC03R Reason C03
- 5 ACC01 Satisfactory materials (ext'nl surfaces)
ACC01R Reason C01
- 6 Details of the proposed windows to be utilised in the extension shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced. The windows shall be installed in accordance with the approved details.
ACC03R Reason C03
- 7 ACI13 No windows (2 inserts) first and second floor floor flank extension
ACI13R I13 reason (1 insert) BE1
- 8 ACI07 Restrict to members of household (1 in) at 2 The Drive
ACI07R Reason I07
- 9 ACI14 No balcony (1 insert) the ground floor extensions
ACI14R I14 reason (1 insert) BE1
- 10 ACK01 Compliance with submitted plan
ACC03R Reason C03

Application:13/02016/FULL6

Address: 2 The Drive Beckenham BR3 1EQ

Proposal: First floor side and rear extension to incorporate enlargement of existing roof



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

© Crown copyright and database rights 2013. Ordnance Survey 100017661.