

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

**Application No :** 13/03103/FULL1

**Ward:**  
**Copers Cope**

**Address :** 67 Westgate Road Beckenham BR3 5TR

**OS Grid Ref:** E: 538095 N: 169831

**Applicant :** Miss Olivia Freeborough

**Objections :** YES

**Description of Development:**

Erection of two storey dwelling house at land adjacent to 67 Westgate Road

Key designations:

Biggin Hill Safeguarding Birds  
Biggin Hill Safeguarding Area  
Local Cycle Network  
London City Airport Safeguarding  
London City Airport Safeguarding Birds

**Proposal**

It is proposed to erect an end-terrace two-bedroom dwelling to the north of the existing dwelling at 67 Westgate Road. The proposed dwelling would measure approximately 6m wide x 9.4m deep with a pitched roof set down approximately 3.2m from the ridge height of the a dwelling. It is furthermore proposed to have a new crossover and parking space to the rear of the garden.

**Location**

The application site is located at the junction with Westgate Road and The Avenue and is neither listed nor within a conservation area. The surrounding area is residential in use and predominately characterised by two and three storey terraced houses.

**Comments from Local Residents**

Nearby owners/occupiers were notified of the application and 2 representations were received. The following concern was raised:

- that builders' lorries will be parked on unmade section of The Avenue and provision should be made for the road surface to be restored at the developer's expense;

## **Comments from Consultees**

Highways: States that two off street spaces are required and the provision at the rear garden is acceptable provided a minimum distance of 10m from the junction is adhered to.

Drainage: No objection subject to standard condition.

Environmental Health: No objection.

Thames Water: No objection.

## **Planning Considerations**

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

BE1 Design of New Development  
H1 Housing Supply  
H7 Housing Density & Design  
H9 Side Space  
T3 Parking  
T18 Road Safety

The following Council adopted SPG guidance is also a consideration:

Supplementary Planning Guidance 1 General Design Guidance  
Supplementary Planning Guidance 2 Residential Design Principles

The above policies are considered consistent with the objectives and principles of the NPPF.

## **Planning History**

2008: Planning application (ref. 07/04635/FULL1) refused for erection of 2 storey three bedroom house including basement accommodation and integral double garage. Reasons for refusal:

1. The proposed dwelling, by reason of its excessive site coverage would result in a cramped overdevelopment of this corner site and would be detrimental to the visual amenities of the street scene in general, thereby contrary to Policies BE1 and H7 of the Unitary Development Plan.
2. The proposed dwelling will have a seriously detrimental effect on the prospect and visual impact to the adjoining house which the occupants of that dwelling might reasonably expect to be able to continue to enjoy, contrary to Policies BE1 and H7 of the Unitary Development Plan.
3. The proposed means of access to the site and single parking space would be inadequate to meet the needs of the development, in respect of provision

of adequate visibility and as such the proposal would be prejudicial to the free flow of traffic and conditions of general road safety, thereby contrary to Policies T18 and T11 of the Unitary Development Plan.

2010: Planning application (ref. 10/00335/FULL1) refused for erection of a two bedroom town house with crossover enlargement at land adjacent to 67 Westgate Road. Reason for refusal:

1. The proposed dwelling would result in a cramped overdevelopment of this corner site and would be detrimental to the visual amenities of the street scene in general, thereby contrary to Policies BE1 and H7 of the Unitary Development Plan.

Note: subsequent appeal (PINS ref: APP/G5180/A/10/2129308, Council ref: 10/00101/S78) dismissed.

## **Conclusions**

The main issues relating to the application are:

- The effect that it would have on the character of the area and the streetscene;
- The standard of accommodation that it would provide for future occupiers;
- The impact on the amenities of the occupants of surrounding residential properties; and
- The impact of the proposal in terms of parking and highway safety.

## **CHARACTER OF THE AREA AND STREETSCENE**

As noted above, the previously application for the erection of a two bedroom town house was refused on the ground that:

The proposed dwelling would result in a cramped overdevelopment of this corner site and would be detrimental to the visual amenities of the street scene in general, thereby contrary to Policies BE1 and H7 of the Unitary Development Plan.

This decision was subsequently upheld with the dismissal of appeal (APP/G5180/A/10/2129308).

In that decision, the Inspector found at paragraph 8 that:

...the scheme would not achieve the high standard of design and layout that saved UDP Policy BE1 seeks in order to ensure that, among other things, new development does not detract from the street scene. Rather than respecting the existing built and natural environment, as required by saved UDP Policy H7, the proposal would detract materially from the character and appearance of its surroundings.

It is noted that the proposal still provides approximately 3m separation from the side boundary. However, although this would in most cases comply with the Policy

H9 of the UDP, when turning his mind to this consideration, the Inspector found the rule of limited relevance as he gave greater weight to the thrust of that Policy in the context of the existing relationships of other corner buildings to street frontages at this particular location.

Within the area, the buildings are set well back from the wide highways. The almost 9m space between the end gable of 67 Westgate Road and The Avenue is replicated above ground floor level across that Road and corner buildings across The Avenue are set still further back. Many buildings are partly screened by trees, which are augmented by lines of mature trees in highway verges. Within the public realm there is a pervading sense of spaciousness in which the scene is dominated by trees rather than by buildings.

In his decision, the Inspector did not share the Council's view that the proposed dwelling would appear cramped within its site although adding that planting would do little to mask the new building's largely blank three storey gabled side elevation. Adding further that the building would project obtrusively into the street scene on The Avenue and its prominence at this focal point would disrupt the well-ordered pattern of space and buildings that helps to form the area's pleasant and distinctive character.

Subsequent to the appeal decision the proposal has been amended so that it now steps down in height and instead of being 3 storey has been reduced to 2 storey and is set back from the front building line. Accordingly, Members may consider that the reduced height and set-back has, on balance, sufficiently reduced the impact of the proposed dwelling on the character of the area and streetscene so as to overcome the previous reason for refusal and appeal decision.

#### STANDARD OF ACCOMMODATION

The proposed dwelling would meet The London Plan minimum space standards that since assessment of the previous application now need to be taken into account when considering applications for the creation of new residential units. Furthermore, the proposed dwelling is dual aspect and will have a sufficiently sized rear garden providing outdoor amenity space. Members may therefore consider that the proposed dwelling would provide an acceptable standard of accommodation for future occupiers.

#### NEIGHBOURING RESIDENTIAL AMENITY

The proposal is considered acceptable in terms of the relationship with the adjoining property to the south #67 as the majority of the building will not extend deeper than that adjoining property. The rear aspect that would project slightly beyond the rear building line of the #67 is relatively small and would not result in an unduly harmful loss of outlook or increased sense of enclosure or dominance. There would be no unduly harmful overlooking of or loss of privacy or #67 resulting from the new dwelling.

Adjoining the rear of the application site is 50 Westgate Road however, no windows are located in the flank elevation of this property and a garage is situated

on the shared rear boundary of the application site with a parking area towards the front. Therefore, no undue harm to the residential amenities enjoyed by the occupiers of that property by way of loss of outlook, increased sense of enclosure or dominance or loss of privacy as a result of the proposed dwelling will result.

The neighbouring properties to the north and east are sufficiently separated by The Avenue and Westgate Road respectively so as not to suffer any undue harm to their residential amenities by way of loss of outlook, increased sense of enclosure or dominance or loss of privacy as a result of the proposed dwelling.

It should also be noted that the previously refused application (ref: 10/00335/FULL1) found the proposal acceptable with regard to neighbouring residential amenity and that the subsequent appeal decision (PINS ref: APP/G5180/A/10/2129308) concurred; only upholding the appeal on grounds of design and layout. Furthermore, it is also noted no objections on grounds relating to loss of residential amenity have been received from neighbouring properties.

#### **PARKING AND HIGHWAY SAFETY**

The Council's Highway Planning Division has been consulted on this application and in conjunction with the Street Services Division objected to the location and arrangement of enlarged crossover proposed. Subsequently, the application has been amended so that 1 carparking space and a crossover are now proposed to the rear of the garden. The Highways Planning Division has stated that 2 parking spaces are required however, they cannot be provided to the front of the dwelling due to the enlarged crossover being unacceptably close to the intersection. Furthermore, if 2 spaces are provided to the rear, they will severely reduce the garden area and therefore, the amount of outdoor amenity space available to future residents.

Members may therefore consider that, on balance, the proposal would have no unduly harmful impact with regard to parking and highway safety and is consistent with Policy T3 and Policy T18 of the UDP.

Background papers referred to during production of this report comprise all correspondence on files refs. 13/03103, 10/00335 and 07/04635, excluding exempt information.

as amended by documents received on 29.11.2013

#### **RECOMMENDATION: PERMISSION**

Subject to the following conditions:

- 1      ACA01      Commencement of development within 3 yrs  
          ACA01R      A01 Reason 3 years
- 2      ACK01      Compliance with submitted plan

**Reason:** In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of the appearance of the building and the visual amenities of the area.

3	ACC07	Materials as set out in application		
	ACC07R	Reason C07		
4	ACH12	Vis. splays (vehicular access) (2 in)	3.3m	x 2.4m x
		3.3m 1m		
	ACH12R	Reason H12		
5	ACH32	Highway Drainage		
	ADH32R	Reason H32		
6	ACD02	Surface water drainage - no det. submitt		
	ADD02R	Reason D02		

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 it is an offence under Section 153 of the Highways Act 1980 for doors and gates to open over the highway.
- 3 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 Thames Water will aim to provide customers with a minimum pressure of 10m head (approximately 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

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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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