

Section '4' - Applications recommended for REFUSAL or DISAPPROVAL OF DETAILS

Application No : 14/00070/FULL1

Ward:
Darwin

Address : 10 Edward Road Biggin Hill TN16 3HL

OS Grid Ref: E: 542376 N: 158383

Applicant : Mr R.L.R. Goldsmith

Objections : YES

Description of Development:

Demolition of an existing bungalow and erection of a pair of two storey semi detached 3 bedroom dwellings with car parking to front.

Key designations:

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

Proposal

- The proposal seeks permission for the demolition of the existing bungalow and the erection of a pair of two storey semi-detached 3 bedroom dwellings with car parking to front.
- From scaling the proposed ground floor plan, it can be seen that the replacement dwellings combined will measure 9.9 metres in width, 12.9 metres in depth for the most part, with an additional 1 metre to the front of each property forming a brick built window feature with pitched roof. There will be a separation of 1 metre between the northern flank elevation and the northern property boundary shared with No. 8 Edward Road for the full height and length of this flank wall, and a separation of 1 metre between the southern property boundary and flank elevation shared with No. 14 Edward Road.
- The dwellings will be two storey with roofspace accommodation providing a third bedroom and en-suite facilities. The ground and first floor levels will measure 4.95 metres from ground level, and the roof will result in dwellings measuring 9.8 metres in height, with gable end features.
- In the flank elevations, one window is proposed at first floor level to serve a bathroom, so will be obscure glazed, and the access door to the properties will be in the flank elevation at ground floor level with no further windows along the elevations.

Location

The application site is located on the western side of Edward Road, close to the junction with Moselle Road, and hosts a single storey detached bungalow.

Comments from Local Residents

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

- block plan is inaccurate;
- 2 metre high privet hedge along northern boundary owned by No. 14;
- No. 12 Edward Road is not indicated at the rear of No. 14;
- gross overdevelopment of the site;
- siting of the houses is totally unacceptable;
- the height of the buildings will dwarf the adjacent property and be visually intrusive to No. 14;
- lead to tunnel vision some 13 metres to the lounge and rear bedroom of No. 14;
- the massive set back from the established building line will be incongruous, contrary to Policies BE1 and H7 of the Unitary Development Plan;
- proposal does not comply with Policies 3.8 and 7.2 of the London Plan, seeking high standards of accessible and inclusive design in all development;
- no details relating to Lifetime Home Standards;
- proposed dwellings are not of a suitable size to meet Lifetime Homes Standards;
- block plan shows the front edge of the new building in line with the centre of the kitchen window of No. 8. This window is main source of light for the kitchen and living room;
- have enjoyed light from this source for 28 years - blocking the light would violate rights;
- the height and style of the building means the flat faced gable will completely obliterate any sunlight from the patio to the side and rear of neighbouring properties, as well as patio doors to the dining room;
- concerns re asbestos when demolition takes place;
- proposed development not being built along the building line;
- very high and will sit in the centre of surrounding gardens;
- additional light likely to be required along the flank of the building which will impact upon neighbours;
- front door faces neighbouring gardens - noise and disturbance;
- height of building along the rear garden of neighbouring properties will cast shadows for neighbouring properties;
- the new building at rear of No. 6 at least has some architectural merit, the new building at No. 10 would just introduce a very high solid brick wall blocking valuable and significant amount of light including sunlight from neighbouring homes and gardens.

Comments from Consultees

No objections raised by Environmental Health. However it was noted that should permission be granted, the Applicant should ensure compliance with the requirements of the Health & Safety at Work etc Act 1974, the Control of Asbestos Regulations 2012 and any other relevant legislation concerning the demolition of the existing building, as well as the requirements of the Environment Agency regarding the transport and disposal of asbestos-containing materials.

Highways raised no objection. It was stated that the access is to be centralised and widened. There is a telegraph pole on the frontage so the layout would need to be agreed with Area Management should permission be granted.

Thames Water raised no objection to sewerage infrastructure capacity or water infrastructure capacity. It would be the responsibility of the developer to ensure proper provision is made for surface water drainage to ground, water courses or a suitable sewer.

Drainage Engineer stated that there is no public surface water sewer near the site, therefore surface water will need to be drained to soakaways.

Planning Considerations

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

- BE1 Design of New Development
- H7 Housing Density and Design
- H9 Side Space
- NE7 Development and Trees
- T3 Parking
- T7 Cyclists
- T8 Other Road Users
- T18 Road Safety

- SPG1
- SPG2

National Planning Policy Framework

London Plan:

- 3.3 Increasing Housing Supply
- 3.4 Optimising Housing Potential
- 3.5 Quality and Design of Housing Developments
- 3.8 Housing Choice
- 5.3 Sustainable Design and Construction
- 5.13 Sustainable Drainage
- 6.9 Cycling
- 6.13 Parking
- 7.2 An Inclusive Environment
- 7.3 Designing out Crime

7.4 Local Character

7.6 Architecture

Mayor of London's Housing Supplementary Planning Guidance

Planning History

There is no planning history at the site.

Conclusions

Members may consider that the main issues relating to the application are the effect that the proposed development 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.

The application site was visited by the case officer and the aims and objectives of the above policies, national and regional planning guidance, all other material planning considerations including any objections, other representations and relevant planning history on the site were taken into account in the assessment of the proposal.

The surrounding area is characterised by two storey development, therefore the principle of some form of two storey development in this location is considered acceptable. However the current scheme seeks two storey accommodation with a large gable end feature roof which results in a pair of semi-detached dwellings with a height of 9.876 metres which Members may consider excessive.

The height of the ground and first floor levels of the proposed dwellings when combined measure 4.95 metres in height, and the roof will add an additional 4.9 metres which is roughly the same height of the main dwellinghouse. This in itself is considered to result in an excessively bulky feature that would be incongruous within the streetscene. In addition, there will be a separation of only 1 metre between the northern and southern flank elevations and property boundaries, and it is considered that this minimal separation when combined with the excessive height of the dwellings and bulk of the gable end feature roof being introduced, will have a seriously detrimental impact upon the amenities of the occupiers of the neighbouring properties and will result in a cramped appearance within the streetscene where, generally, higher standards of separation exist.

The proposed building would be located further forward on the site than the existing bungalow which is located towards the rear of the site. From looking at the proposed block plan, it can be seen that the front elevation of the proposed buildings, excluding the small forward projection for the single storey window feature, will be located only 0.8 metres in front of the rear elevation of No. 14. Therefore, the majority of the proposed buildings will project beyond the rear elevation of No. 14, measuring some 12.7 metres in depth, at 9.876 metres in height, just 1 metre away from the property boundary shared with No. 14. This is considered excessive and will lead to a severely detrimental impact upon the outlook, prospect and visual amenities of the residents of No. 14 Edward Road.

No. 8 Edward Road is a part single storey, part two storey dwellinghouse and concerns are also raised with regard to the impact that the proposed buildings will have upon the amenities of this property. Again, the height of the proposed buildings combined with its close proximity to the property boundary with No. 8 will result in an over dominant impact on this property by reason of loss of light and loss of prospect. It will therefore have a detrimental impact upon visual amenities. In this instance, the majority of the proposed development will be located to the rear of the single storey element of No. 8 so there will be a limited impact upon this part of the property, however the fact that the majority of the proposed development is sited behind this property also has negative impacts. It is appreciated that the two storey element of No. 8 is set further away from the property boundary shared with the application site, however approximately 11.8 metres of the proposed building will be located behind the rear elevation of the single storey element of No. 8 Edward Road, and approximately 5.9 metres of the proposed building will be located behind the most rearward part of the rear elevation of No. 8. This rearward projection, although with a greater separation, due to the two storey element of No. 8 being set away from the shared property boundary, is still considered excessive and Members may agree that it is likely to lead to a detrimental impact upon the visual amenities of the rear windows of No. 8.

Concerns have been raised from the residents of the neighbouring properties regarding overshadowing across the rear elevation and patio areas as well as significant loss of daylight and sunlight, particularly to the kitchen and living room of No. 8, which is adjacent to the boundary. Given the orientation of the site, the proposed development is likely to cause significant overshadowing and a reduction in daylight to the habitable rooms at No. 8, in particular, as well as a significant loss of outlook from the rear and side ground floor windows of both Nos. 8 and 14 Edward Road. There would also be a considerable reduction in daylight to the patio area immediately adjacent to the boundary at both neighbouring properties.

Having had regard to the above Members may consider that the proposed development is not acceptable in that it would result in a significant loss of amenity and prospect to the occupiers of Nos. 8 and 14 Edward Road.

Background papers referred to during production of this report comprise all correspondence on the file ref. 14/00070, set out in the Planning History section above, excluding exempt information.

as amended by documents received on 04.02.2014

RECOMMENDATION: PERMISSION BE REFUSED

The reasons for refusal are:

- 1 The proposed dwellings would be over-dominant on the site and would be seriously detrimental to the amenities that the occupiers of Numbers 8 and 14 Edward Road might reasonably expect to continue to enjoy by reason of the position of the proposed dwelling on the site and the two storey rearward projection behind the rear elevations of the neighbouring properties,

resulting in overshadowing, loss of outlook, and loss of prospect; thereby contrary to Policies BE1 and H7 of the Unitary Development Plan.

- 2 The location, size, scale, roof design and depth of the proposed dwellings constitutes an overdevelopment of the site and would be detrimental to the visual amenities and spatial standards of the surrounding area, contrary to Policies H1, H7, H9 and BE1 of the Unitary Development Plan.

INFORMATIVE(S)

- 1 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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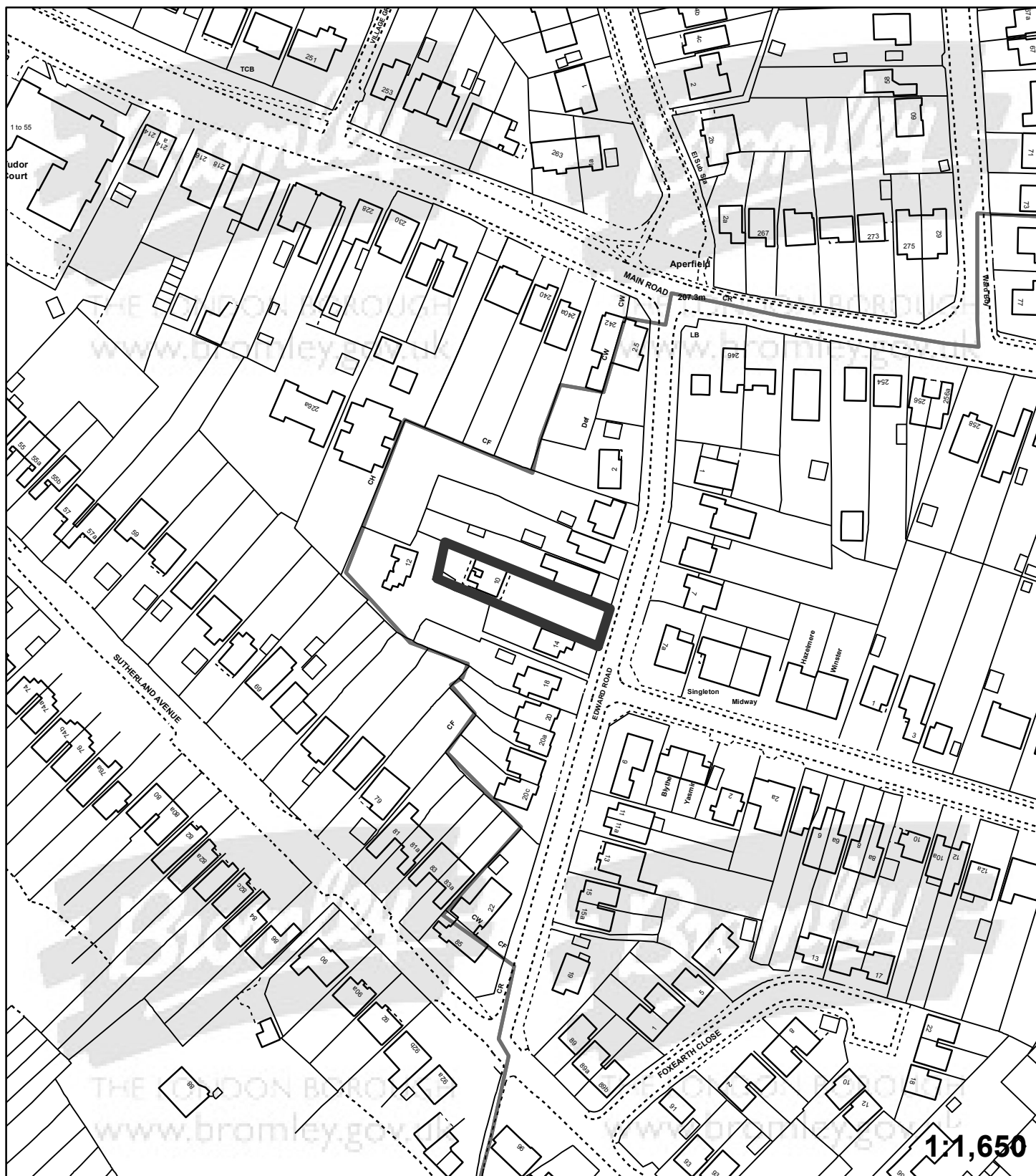
"This plan is provided to identify the location of the site and should not be used to identify the extent of the application site"

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