

SECTION '2' – Applications meriting special consideration

Application No : 14/00593/FULL1

Ward:
Clock House

Address : Land Rear Of 101 Mackenzie Road
Beckenham BR3 4RY

OS Grid Ref: E: 535786 N: 169380

Applicant : Julian Beale Construction Ltd

Objections : YES

Description of Development:

Demolition of garage and erection of new end of terrace for bedroom house with accommodation in roofspace

Key designations:

Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
London City Airport Safeguarding
London City Airport Safeguarding Birds

Proposal

The proposal is the demolition of an existing detached garage on land to the side and rear of No.101 Mackenzie Road and the erection of new end of terrace four bedroom house with accommodation in the roofspace.

The new property would mirror the 'L-shaped' layout typical of the Victorian period and would have a gross internal area (GIA) of 112.5m². The development would retain a separation from the side boundary of 1.2m at the front increasing to 2.4m, and the existing access will be altered and split to allow each house to have one parking space to the front, with the new dwelling having a second parking space at the rear of the site, accessed via the existing crossover at the side boundary.

Location

The site is located to the south-west of No.101 Mackenzie Road, at the junction of Avenue Road. The site is bounded by the railway line to the south and comprises an area that was historically used as an area to store builder's materials. The immediate area is predominantly residential in character, although there is a large commercial premises opposite the site to the north.

Comments from Local Residents

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

- the proposed end of terrace design does not complement the form of the existing semi-detached houses
- the design does not reflect the established frontage and rhythm of the street scene
- the proposal does not allow adequate side space to the boundary of the plot on all sides
- loss of amenity to future occupants of No.101
- the emulated period design does not complement adjacent buildings or the wider street
- the rear elevation does not adhere to the same design and materials of adjacent properties
- the development would negatively impact the owners/occupiers of No.99
- the new house will look different to surrounding houses
- parking is already very difficult, the new house should have two spaces
- the development would set a precedent
- the new house would be overlooked by the adjacent tram access
- would have a negative impact on the street
- concerns over a loss of privacy at No.124 Avenue Road (formerly 105 Mackenzie Road)

Comments from Consultees

Highways - initial concerns were raised over the provision of one parking space for the proposed dwelling and one remaining space for the donor property. Revised plans indicating provision of a second parking space at the rear of the site (thus providing two parking spaces for the new house) were considered by the Councils Highways Engineers. The revised set up is considered to be satisfactory, subject to standard planning conditions. It is noted that there is an existing access to the rear of the site.

Environmental Health - no comments received

Thames water - with regard to water infrastructure capacity and sewerage infrastructure capacity, no objection is raised.

Drainage - no objection is raised subject to standard conditions and informatives.

Cleansing - no comments received.

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 and Design
- H9 Side Space
- T3 Parking
- T18 Road Safety

The above policies are considered to be consistent with the principles and objectives of the National Planning Policy Framework (NPPF) which is a key consideration in the determination of this application.

London Plan Policies:

- 3.3 Increasing Housing Supply
- 3.4 Optimising Housing Potential
- 3.5 Quality and Design of Housing Developments
- 5.3 Sustainable Design and Construction
- 5.13 Sustainable Drainage
- 7.3 Designing Out Crime
- 7.4 Local Character

The Councils SPG guidance is also a consideration:

Supplementary Planning Guidance No.1 - General Design Principles
Supplementary Planning Guidance No.2 - Residential Design Guidance

Planning History

In terms of planning history, the area was historically used as an area to store builder's materials. This use was formalised by way of an existing use certificate granted by the Council in 1983 under ref. 83/00971. In 2004 (under ref. 04/00225) planning permission was granted for the change of use of the site to residential garden land to provide additional amenity space for No.101, and is currently occupied by a detached garage.

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.

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 area is predominantly residential in nature, and the proposal is to replace an existing detached garage with a new dwelling which would mirror the design of surrounding residential development. Members may feel therefore that the general principle of residential development in this location is not inherently unacceptable.

The dwelling would accord with the Mayors Housing Supplementary Guidance in respect of minimum space standards, and regard must also be had for the location of the property in relation to the nearby railway line. It is noted that the majority of this side of the street is the same distance from the railway line and is also in residential use. No Environmental Health objections have been raised.

The new house would retain a separation from the side boundary of a minimum of 1.2m, increasing to 2.4m at the rear due to the stepped nature of the footprint of the new dwelling. Policy H9 seeks to retain a minimum of 1.0m from the flank boundary in respect of two storey developments, and a more generous side space provision where "higher standards of separation already exist". The area is relatively densely populated, comprising mainly terraced housing, and the proposed separation would generally accord with the level of separation seen at other corner properties in the immediate area, including the opposite corner property at the junction of Avenue Road and Mackenzie Road.

In many cases, development located on corner plots may require a higher degree of side space in order to maintain important sightlines into adjoining side roads. The road adjacent to the site leads to a railway footbridge, and the proposed separation will be broadly similar to the level of separation seen elsewhere in the vicinity. On balance, therefore, the level of side space provided is considered acceptable and is not considered to result in a cramped form of development.

The new dwelling would sit comfortably within the streetscene, without appearing as an incongruous addition. Local objections concerned about the external appearance of a new dwelling in this location are noted, and a condition requiring the proposed materials to be agreed by the Council is considered appropriate in the circumstances. It is also considered reasonable to require details of the proposed boundary enclosures to be submitted and approved by the Council.

In terms of the impact on surrounding amenity, the house would mirror the 'L-shaped' layout typical of many properties in the immediate area. The house would incorporate rear facing windows, including those within the proposed rear dormer. Any perceived overlooking or loss of privacy at neighbouring properties is not considered to be at a level that would not be reasonably expected in a typical suburban relationship between neighbours. The house would be attached to No.101, and any impact on the amenity of No.101 is not considered to be sufficient to warrant refusal of planning permission, given that the resulting relationship would be the same as a number of nearby terraced properties.

Concerns have been raised from a nearby resident that the first floor windows proposed for the first floor south-western elevation would result in a loss of amenity. Given that No.124 Avenue Road sits to the south of the proposed development, any impact on the passage of light to that property would be minimal, the properties are separated by Avenue Road and a distance of around 15m. As the first floor flank window would serve a proposed bathroom it is considered that a condition requiring the obscuring of this window could mitigate against perceived loss of privacy at that side.

Whilst the concerns of the occupants of No.99 Mackenzie Road are noted, the issues of design and side space provision are covered above. In respect of any impact on the future value of neighbouring properties, this is not a material consideration and falls outside of the process of determining this application on its planning merits. Issues relating to the structural integrity of the proposed dwelling and the impact on the same at neighbouring properties are not matters for consideration as part of this application. These would be dealt with by other Council departments such as Building Control and Environmental Health, should planning consent be granted.

From a highways perspective, the initial drawings indicated that both the donor property and the new house would have a car parking space to the front. This was considered to be unsatisfactory. Local concern over parking provision were also received. Amended plans showing a second parking space to the rear of the new dwelling were received on 10th April. The Councils Highways Engineers have inspected the revised plans and are satisfied with this arrangement. On this basis, and subject to planning conditions, no Technical Highways objections area raised.

On balance, and having had regard to the above it was considered that the siting, size and design of the proposed dwelling is acceptable in that it would not result in a significant loss of amenity to local residents nor impact detrimentally on the character of the area. Members may feel that the proposal represents an efficient use of under-utilised land within a residential area and that planning consent should be granted, subject to conditions.

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

as amended by documents received on 10.04.2014

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- | | | |
|---|-----------------|--|
| 1 | ACA01
ACA01R | Commencement of development within 3 yrs
A01 Reason 3 years |
| 2 | ACA07
ACA07R | Boundary enclosure - no detail submitted
Reason A07 |
| 3 | ACC01
ACC01R | Satisfactory materials (ext'nl surfaces)
Reason C01 |
| 4 | ACD02
AED02R | Surface water drainage - no det. submitt
Reason D02 |
| 5 | ACH03
ACH03R | Satisfactory parking - full application
Reason H03 |
| 6 | ACH32
ADH32R | Highway Drainage
Reason H32 |
| 7 | ACI02 | Rest of "pd" Rights - Class A, B,C and E |

Reason: In the interests of preventing an overdevelopment of the site, in the interests of the amenities of neighbouring residents and to accord with Policies BE1 and H7 of the Unitary Development Plan.

- | | | | |
|---|--------|--------------------------------|------------------------------------|
| 8 | ACI12 | Obscure glazing (1 insert) | in the first floor flank elevation |
| | ACI12R | I12 reason (1 insert) | BE1 |
| 9 | ACK01 | Compliance with submitted plan | |
| | ACK05R | K05 reason | |

INFORMATIVE(S)

- 1 Any repositioning, alteration and/ or adjustment to street furniture or Statutory Undertaker's apparatus, considered necessary and practical to help with the modification of vehicular crossover hereby permitted, shall be undertaken at the cost of the applicant.
- 2 In order to check that the proposed storm water system meets the Council's 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.
- 3 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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