

SECTION '2' – Applications meriting special consideration

Application No : 14/01398/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 existing bungalow and erection of a pair of semi detached 2 bedroom bungalows 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 erection of a pair of semi-detached 2 bedroom bungalows with car parking to front.
- From scaling the proposed ground floor plan, it can be seen that the replacement dwellings combined will measure 10.3 metres in width, 15.44 metres in depth, and a separation of 1 metre will be retained between the northern flank elevation and the northern property boundary shared with Number 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 Number 14 Edward Road.
- The dwellings will be single storey bungalows with a maximum ridge height of approximately 5.9 metres.
- There will be 3 windows in each flank elevation, serving a bedroom, a bathroom and the kitchen.

Location

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

Comments from Local Residents

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

- concerns that work vehicles do not park outside No.4 - would obstruct views along road and cause safety concerns;
- concerns re asbestos when demolition takes place;
- loss of light to kitchen windows at No.8 - this window is main source of light to kitchen and living room;
- violation of rights under the ancient lights act;
- in the previous proposal the properties were to be built further back on the site which cleared the kitchen window, if the bungalows were to be built further rearward there would still be a reasonable front and rear sized garden;
- block plan is incorrect - a correct endorsed plan is enclosed with objection;
- siting of the bungalows is unacceptable and indicates overdevelopment;
- ridge height will dwarf adjacent property and will be visually intrusive to No.14, creating a form of tunnel vision some 5 metres to the lounge and rear bedroom of No.14;
- whilst the set back from established building line has been reduced, the development remains incongruous and harmful to the streetscene, character and appearance of the area;
- two bungalows on a plot width of 12 metres is overdevelopment, harmful to the existing spatial standards and pattern of development within Edward Road;
- contrary to Policies H7 and BE1 of the Unitary Development Plan, NPPF and 3.4 of the London Plan;
- due to the size, scale and footprint and amount of development on the site, the proposal does not comply with relevant national and local policy criteria;
- internal layout results in poor living environment for future occupiers of the bungalows;
- in particular bedroom 2 on the plans has very poor natural light and outlook with only 1 window being located 1 metre from the existing boundary of the site which is another clear indication that the proposal is a gross overdevelopment of the site and cannot adequately accommodate two new dwellings;
- how can the proposal meet Code for Sustainable Homes Level 4 - a new build requirement;
- no details to demonstrate that the proposed accommodation complies with Lifetime Home Standards, therefore proposal is contrary to Policies 3.8 and 7.2 of the London Plan;
- loss of light to habitable rooms (sitting and dining rooms) to rear of No.14;
- ridge height (some 6 metres when scaled from plans) is excessive;
- combination of excessive height and unacceptable depth will create an environment where the amenities of existing neighbours are compromised;
- should application be recommended positively, suggestions are:
- removal of 'permitted development' both to extend the dwellings and to erect Class E curtilage buildings;

- existing property to be demolished prior to commencement of development of bungalows;
- no accommodation is provided in the extensive roof area.

Any further comments will be reported verbally at the meeting.

Comments from Consultees

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

The Highways Engineer stated that the proposed buildings have been moved forward from the previous application which alters the parking layout. There is a maximum width of 3m, measured at the back of the footway, for each residential property. There is a telegraph pole on the frontage which will affect the access layout and may need to be moved.

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.

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.

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

A recent planning application was refused under ref. 14/00070 for the demolition of an existing bungalow and erection of a pair of two storey semi-detached 3 bedroom dwellings with car parking to front for the following reasons:

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; and
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.

The current application seeks to overcome the previous refusal.

Conclusions

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, and whether the principle of the development is acceptable given the previous history on the site.

The surrounding area is characterised by two storey development. The previously refused scheme related to a pair of semi-detached two storey dwellings, with a large roof above. The current application has reduced the overall height of the scheme by introducing a pair of semi-detached bungalows as opposed to two storey dwellings, however, the design of the roof over the bungalows remains fairly substantial and when scaled from the plans submitted, it can be seen that the overall ridge height measures approximately 6 metres in height. This is not dissimilar to the height of a two storey dwellinghouse, so whilst no roofspace accommodation is currently proposed, this could be possible in the future so

should be safeguarded against should Members wish to permit the current scheme.

The overall ridge height of the current scheme is higher than the eaves height of the previously refused scheme. The height of the previously refused scheme up to the eaves was 4.95 metres, with the roof adding a further 4.9 metres up to the ridge. The current scheme will measure approximately 6 metres up to the ridge, which may not appear incongruous from the streetscene due to the design of the pitched roof, but it would result in a bulky impact upon the neighbouring properties to either side due to the overall depth of the proposed dwellings and resulting bulk of the roof. In addition whilst there will be a separation of 1 metre between the flank elevations of the proposed dwellings and the property boundaries, the eaves of the roof will overhang the flank walls by approximately 0.4 metres which will result in some form of development closer to the boundaries although this should not be significant enough degree to warrant refusal.

In terms of the previous refusal grounds, these related to the over dominant impact of the proposed dwellings due to the position on 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; as well as the location, size, scale, roof design and depth of the proposed dwellings resulting in overdevelopment of the site which was considered to be detrimental to the visual amenities and spatial standards of the surrounding area.

The current application has attempted to overcome an element of the previous refusal grounds by relocating the proposed dwellings further forward on the site, so that the front elevations will be in line with the front elevations of the neighbouring properties. However, the rear elevations of the proposed new dwellings will still project beyond the rear elevations of the neighbouring properties, by approximately 4.2 metres and approximately 3.2 metres (beyond the rear elevation of Number 14 and the rear elevation of Number 8 Edward Road respectively), and there remains a minimal separation to the property boundaries resulting in a reduction of the spatial standards of the site. However, the rearward projection will now be at single storey level (albeit a 6 metre high single storey level) as opposed to the previously proposed two storey dwellings, therefore Members will need to determine whether this additional rearward projection at approximately 6 metres in height is acceptable or whether it will still result in an excessive rearward projection beyond the rear elevation of the neighbouring properties.

As previously stated there will be a 1 metre separation between the flank elevations and the property boundaries (notwithstanding the roof overhang) which although on balance is acceptable, it is considered that by reducing the current proposal to single storey units compared to the previous refusal of two storey dwellings (albeit the current scheme has a high ridge and large resulting roofspace for each unit) the dimensions of the floor area have been increased to compensate for the lack of first floor accommodation and it is considered that this overall change results in an unacceptable subdivision of the plot in an attempt to obtain approval for two units on the site where in principle one would be much more appropriate, in keeping with the parameters of the plot and the character of the streetscene.

In terms of the second refusal ground, the location, size, scale and roof design of the current dwellings have been altered in an attempt to overcome the previous refusal grounds. The depth of the proposed dwellings, however, has been increased from 12.9 metres (previously) to 15.44 metres, and the overall ridge height remains substantial despite forming single storey dwellings, therefore Members will need to determine whether this increased depth, yet substantial height, sufficiently overcomes the previous concerns or whether the impact of the approximate 6 metre ridge height and the increased depth of the proposed bungalows remain likely to cause detrimental impact to the amenities that the occupiers of Numbers 8 and 14 Edward Road might reasonably expect to continue to enjoy by reason of overshadowing, loss of outlook and loss of prospect.

Whilst it is appreciated that some attempt has been made to overcome the previous refusal grounds, concerns remain with regard to the overall height of the proposed bungalows, the close proximity to the property boundaries, and the number of dwellings proposed on the plot which is limited in width. As a result it is considered that the development as proposed will still have a detrimental impact upon the amenities and outlook of the neighbouring properties, resulting in a significant loss of amenity and prospect to the occupiers of Numbers 8 and 14 Edward Road, and results in an unsatisfactory subdivision of the plot.

Background papers referred to during the production of this report comprise all correspondence on the files refs. 14/00070 and 14/01398, set out in the Planning History section above, excluding exempt information.

RECOMMENDATION: PERMISSION BE REFUSED

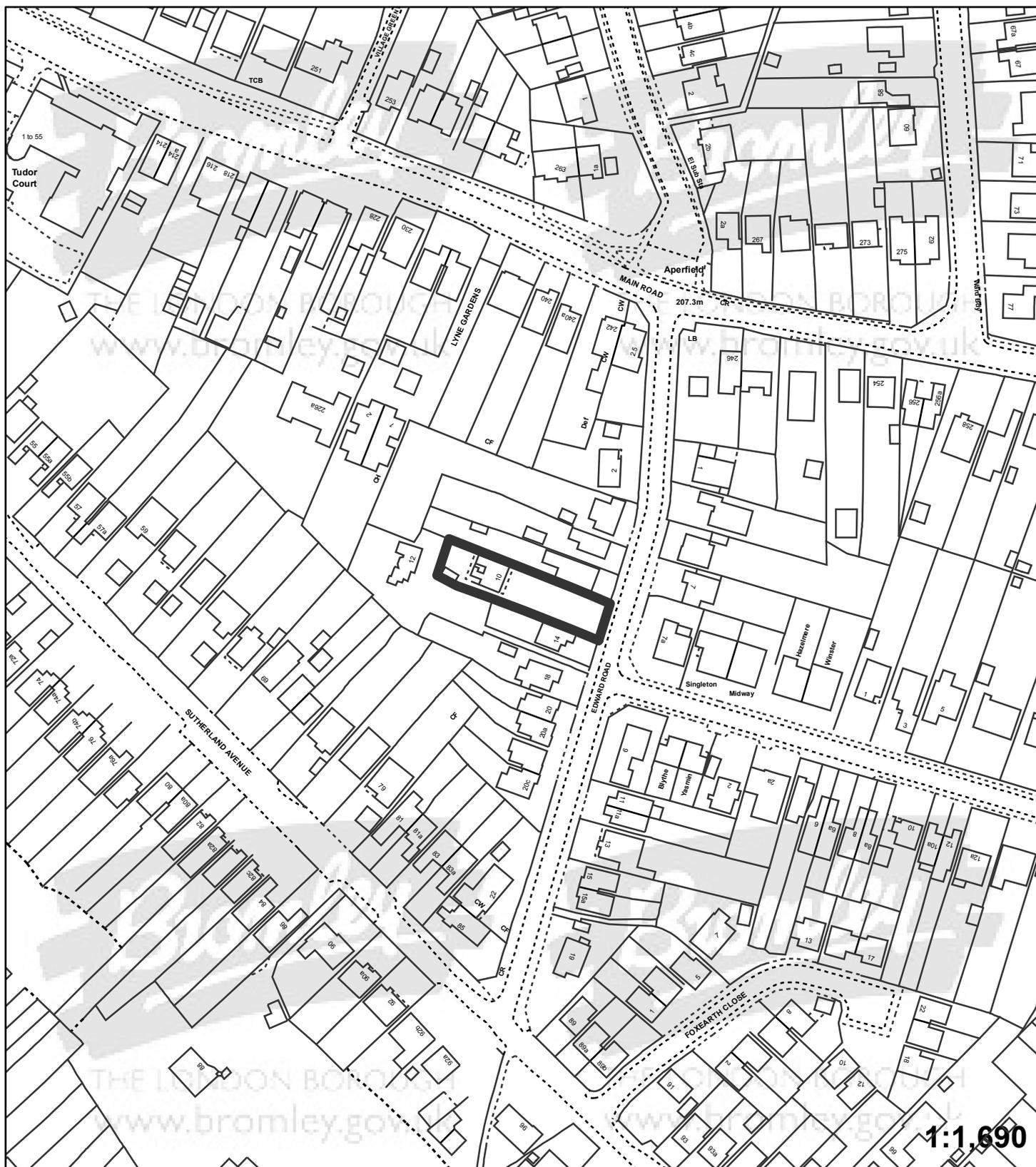
The reasons for refusal are:

- 1 The proposed dwellings would lead to an unsatisfactory subdivision of the plot, 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 dwellings on the site and the overall ridge height and 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 amount, location, size, scale, roof design and depth of the proposed dwellings constitutes an overdevelopment and unsatisfactory subdivision of the site and would be detrimental to the visual amenities and spatial standards of the surrounding area, contrary to Policies H1, H7 and BE1 of the Unitary Development Plan.

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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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