

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

**Application No :** 14/03219/FULL1

**Ward:**  
Copers Cope

**Address :** 28 Downs Hill Beckenham BR3 5HB

**OS Grid Ref:** E: 538641 N: 169959

**Applicant :** Mr A Brandi

**Objections :** NO

**Description of Development:**

Demolition of existing house and erection of replacement single family dwelling with associated excavation, landscaping and front boundary treatment.

Key designations:

Conservation Area: Downs Hill

**Proposal**

The application proposes the demolition of the existing detached dwelling and the erection of a replacement, detached dwelling with associated parking, terracing and landscaping. The submitted street scene indicates that the ridge height will not exceed the higher gable to the adjacent house to the south. The proposed site plan indicates a proposed side space to the southern boundary of 2m; that to the northern boundary is shown as 2.6m decreasing to 2.4m.

A number of trees are to be removed as part of the development proposal. An arboricultural report has been submitted in support of the application and a supporting statement.

**Location**

The site is located to the east side of Downs Hill and within Downs Hill Conservation Area. It is a residential area with predominantly detached dwellings of varying design within the vicinity; the land levels vary within the locality with the land particularly falling away significantly to the east.

**Comments from Local Residents**

Nearby owners/occupiers were notified of the application. A press advertisement was undertaken and site notice displayed. Representations were received which can be summarised as follows:

- concerns over accuracy of plans - including windows and boundaries

- require assurance that gable ends at 28 will be no higher than those at 26
- concerns with basement excavation and potential landslip
- concerns with terrace and steps and impact on privacy

### **Comments from Consultees**

APCA raise no objection subject to consideration of roofing materials which should be natural clay tiles or natural British slate in keeping with other houses in the Conservation Area.

Highways raise no objection in respect of car parking on the site; conditions are suggested in the event of a planning permission.

Comments from a Conservation point of view advise that the existing building makes a neutral contribution to the area and raise no objection to its demolition. The proposed replacement design approach is considered acceptable and a minimum of 2 m sidespace is provided on each side which would appear to overcome one of the previous grounds of refusal. No objections are therefore raised and conditions are recommended in the event of a planning permission.

No objections were previously raised in respect of trees; any additional comments will be reported verbally to Committee.

No objections are raised in respect of drainage; conditions and informatives are suggested in the event of a planning permission.

No objections are raised by Thames Water in respect of sewerage infrastructure capacity and water infrastructure capacity.

### **Planning Considerations**

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

- BE1 Design of New Development
- BE11 Conservation Areas
- BE12 Demolition in Conservation Areas
- BE14 Trees in Conservation Areas
- H7 Housing Density and Design
- H9 Side Space
- T3 Transport and Road Safety
- T18 Transport and Road Safety

and Supplementary Planning Guidance (SPG) of Bromley's Unitary Development Plan

### **Planning History**

Application ref. 14/00231, for demolition of existing house and erection of replacement single family dwelling with associated excavation, landscaping and front boundary treatment, was refused for the following reasons:

The proposal would constitute an overdevelopment of the site by reason of the limited side space to the southern boundary (given the height and design of the proposed replacement dwelling) which would cause harm to the character and appearance of the Downs Hill Conservation Area contrary to Policies BE1 and BE11 of the Unitary Development Plan.

Insufficient information has been submitted to demonstrate that the proposed development could be undertaken in a satisfactory manner, so as to not result in unsatisfactory levels of overlooking, especially given the changes in level on the site, thereby contrary to Policy BE1 of the Unitary Development Plan.

## **Conclusions**

The main issues relating to the application are the effect of the proposal on the character and appearance of the area, the effect of the proposal on the living conditions of neighbouring occupiers, highway considerations and if the scheme has sufficiently addressed the previous grounds of refusal.

The existing dwelling is not considered to be of any significant architectural merit and no planning objection is raised to its demolition subject to Policy BE12 and the requirement for acceptable and detailed plans for a replacement scheme that will make a positive contribution to the character and appearance of the Conservation Area.

Downs Hill SPG advises that the Council will expect all proposals for new development to conform to the character of the area, especially in regard to scale and height of construction, location within the plot and the design and materials used.

Planning policy emphasises the need for development to respect important views and landscape features and should not detract from the existing street scene and the importance of space about buildings and the creation of attractive settings.

It is considered that the design approach of the replacement dwelling is acceptable and the plans now indicate a minimum of 2m side space to each boundary. This may be considered sufficient to address the spatial qualities of the area and preserve or enhance the character and appearance of the conservation area and thereby addresses the previous ground of refusal in this respect. A street scene has been submitted to support the application and this demonstrates that the height of the ridge will not exceed the higher gable to No. 26 but is 1.8m higher than No. 30. A greater separation of the proposed development to the northern boundary helps to justify the greater ridge height in relation to No. 30.

Neighbour concerns were raised in respect of correct boundary and elevation details; any further comment in respect of revised plans received will be reported verbally to Committee.

Plans have been amended which delete the ground floor bay window; a bay window is now shown to the lower level only. Although trees are shown to be

removed to the southern boundary it may now be considered that the extent of potential overlooking would not be so significant as to warrant a planning ground of refusal.

There is a large bay window to the flank of the neighbouring house at No. 30 with what appears to be a roof terrace alongside. It is noted the layout of the proposed dwelling introduces a c 2.4m separation to this boundary and no flank windows are proposed. This proposed relationship will help to address impacts on neighbouring amenities however the proposed layout also includes an elevated terrace to the north side and rear of the proposed dwelling. Neighbour concerns are raised in respect of the impact from the terrace and steps on privacy. The raised terrace is set just over 7m from the southern boundary. Given this and that its siting adjacent to the projection of the southern 'wing' it is unlikely to result in such undue impact as to raise a planning concern in this respect.

No. 30 appears to be at a lower level than the application site. Plan No 116 rev P3 indicates levels to the site and those adjacent which help to demonstrate the relationship between the application site and the neighbouring properties. In order to safeguard against undue overlooking to the site to the north (No. 30) screening to the terrace is to be considered in the event of a planning permission. Additionally, in the event of a planning permission, a slab level condition can be applied.

Although neighbour concerns are noted in respect of land slip and the proposed basement any new dwelling will need to comply with relevant Building Regulations.

It is noted that the development will be CIL liable.

For the reasons discussed above it is considered that the development in the manner proposed has sufficiently addressed the previous grounds of refusal and is considered acceptable in that it would not result in a significant loss of amenity to local residents and would preserve or enhance the character of the conservation area.

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 23.10.2014

## **RECOMMENDATION: PERMISSION**

Subject to the following conditions:

- |   |        |  |
|---|--------|--|
| 1 | ACA01  | Commencement of development within 3 yrs |
|   | ACA01R | A01 Reason 3 years                       |
| 2 | ACC01  | Satisfactory materials (ext'nl surfaces) |
|   | ACC01R | Reason C01                               |
| 3 | ACC03  | Details of windows                       |
|   | ACC03R | Reason C03                               |

- 4 ACH04 Size of parking bays/garages  
ACH04R Reason H04
- 5 ACH11 Visibility splays (new buildings) (3 in) 3.3m x 2.4m x  
3.3m 1m  
ACH11R Reason H11
- 6 ACH32 Highway Drainage  
ADH32R Reason H32
- 7 No loose materials shall be used for surfacing of the parking and turning area hereby permitted.

**Reason:** In the interest of highway safety.

- 8 ACD02 Surface water drainage - no det. submitt  
AED02R Reason D02
- 9 ACK01 Compliance with submitted plan  
ACC01R Reason C01
- 10 ACK05 Slab levels - no details submitted  
ACK05R K05 reason
- 11 Details of the proposed balcony screening shall be submitted to and approved in writing by or on behalf of the Local Planning Authority before work commences and the development shall be completed strictly in accordance with the approved details. before any part of the development hereby permitted is first occupied and shall be permanently maintained thereafter.

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

### INFORMATIVE(S)

- 1 In relation to Condition 8 (our ref D02) the following applies:

In order to check that the proposed storm water system meets our requirements, the Council 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

- 2 With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted

on 0845 850 2777. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

- 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)).

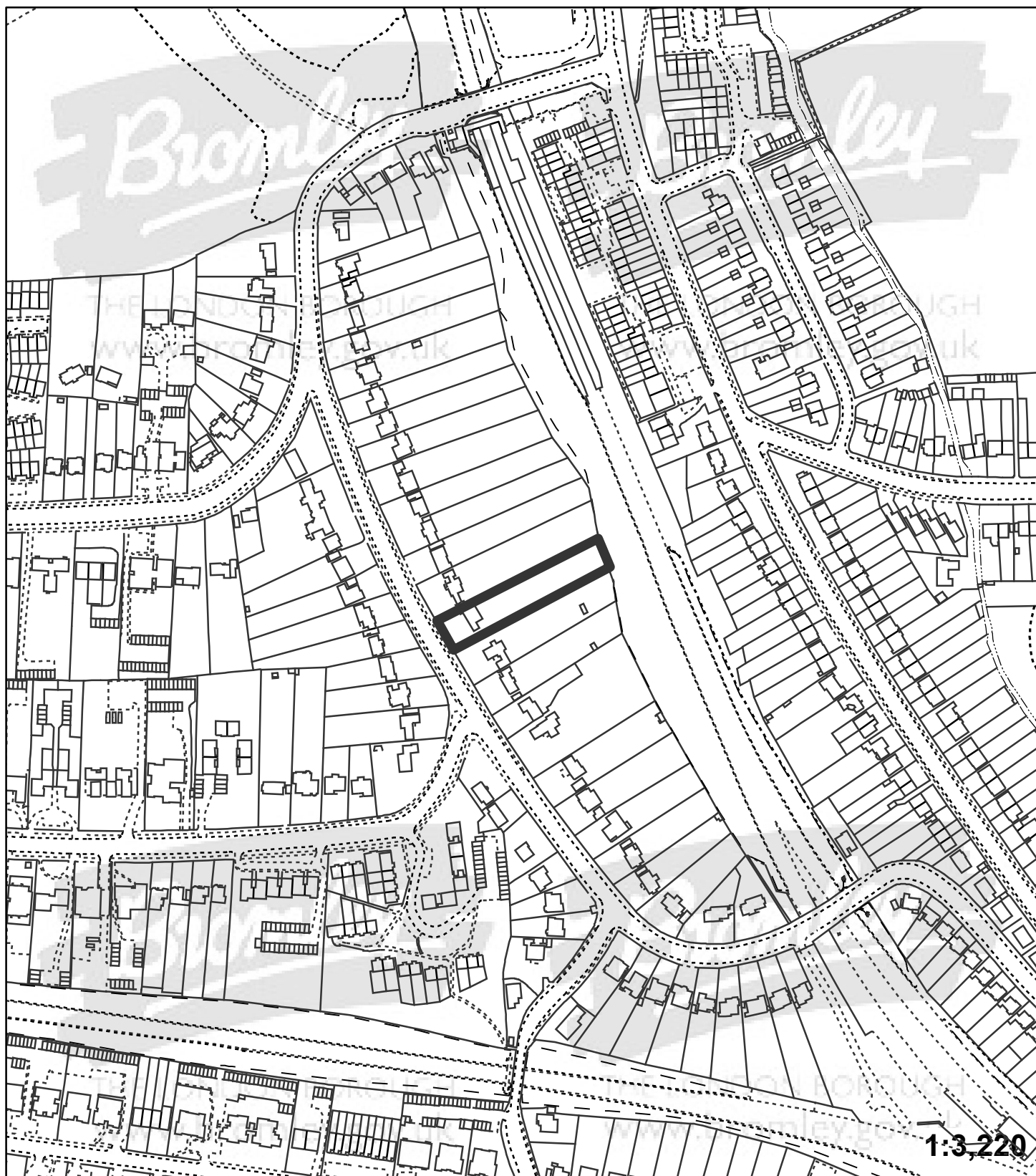
If you fail to follow the payment procedure, the collecting authority may impose surcharges on this liability, take enforcement action, serve a stop notice to prohibit further development on the site and/or take action to recover the debt.

Further information about Community Infrastructure Levy can be found on attached information note and the Bromley website [www.bromley.gov.uk/CIL](http://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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