

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

**Application No :** 14/04366/FULL1

**Ward:**  
**Bickley**

**Address :** 49 Southborough Road Bickley Bromley  
BR1 2EL

**OS Grid Ref:** E: 542412 N: 168199

**Applicant :** Mr Carl Hazeldine

**Objections :** YES

**Description of Development:**

Elevational alterations and roof extension to the existing dwelling at No.49 Southborough Road, demolition of the ancillary Coach House and construction of 1 two storey 5 bedroom replacement dwelling, 2 two storey 6 bedroom dwellings (including accommodation in the roofspace) attached double garages to plots 3 and 4 at the rear of the site, alterations to vehicular access, provision of associated private amenity space, parking and formation of new public footway.

Key designations:

Biggin Hill Safeguarding Birds  
Biggin Hill Safeguarding Area  
London City Airport Safeguarding  
London City Airport Safeguarding Birds  
Local Distributor Roads

**Proposal**

- A two storey rear element and a single storey element to the southern elevation of the existing dwelling will be removed as well as a chimney
- It is proposed to add a rear dormer and a side gable feature to the existing roof to provide 2 additional bedrooms in roof space (totalling 7 bedrooms)
- 4 rooflights in the northern flank roof slope of the existing building are also proposed
- Elevational alterations include a Juliet balcony window at the rear (the existing dwelling is referred to as plot 1 in the application documents)
- Demolition of ancillary coach house and replacement two storey 5 bedroom dwelling with accommodation in roof space (plot 2)
- 2 additional two storey (with accommodation in roof space) detached dwellings towards the rear of the site (plots 3 and 4) each providing 6 bedrooms
- The proposed dwelling would measure approximately 10m in height and would incorporate hipped roofs

- Plots 3 and 4 both include single storey attached garages with habitable accommodation above each providing 2 car parking spaces
- 2 parking spaces per unit within the site's curtilage are allocated to plots 1 and 2
- Plot 2 would provide a 3.9 metre separation to the southern flank boundary of the site and would be separated by approximately 7m from the existing dwelling
- There would be a minimum of around 11 metres 'back to front' separation between plot 1 and the garage at plot 4, increasing to 18.5m to the main part of the dwelling at plot 4
- There would be a minimum of around 12 metres 'back to front' separation between the rear of plot 2 and the garage at plot 3, increasing to around 17.5m to the main part of the dwelling
- The minimum amount of side space proposed between the flank boundaries of the site and the two storey dwellings at plots 3 and 4 would be 1.6m to the northern boundary and approx.1.5m to the southern boundary
- The existing and proposed dwellings would be provided with rear gardens each measuring between 10 and 11 metres in depth
- Landscaping and boundary fences separating the proposed plots and to the highway frontage are indicated although no details of perimeter boundary treatments have been provided
- 2 existing crossovers will be utilised and refuse storage will be provided at the front of the site
- A strip of land at the front of the site is being set aside for a new pavement and highway improvements.

## **Location**

- The application site is a substantial plot of land located on the eastern side of Southborough Road
- The site consists of a large two storey detached dwellinghouse and a smaller two storey ancillary 'coach house' both located at the front part of the site fronting onto Southborough Road
- The surrounding area is residential and suburban in character and comprises mainly of detached dwellings with large rear gardens
- To the north the site adjoins 47 Southborough Road, a single storey detached dwelling, while the rear part of the site borders the gardens of 4 and 6 Park Hill
- To the south, the site adjoins 57 Southborough Road, a two storey detached dwelling while the rear part of the site borders the gardens of 1 and 3 Claremont Road

## **Comments from Local Residents**

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

- overdevelopment
- concerns over road safety

- overlooking and loss of privacy for neighbouring properties
- loss of daylight and sunlight to neighbouring properties
- would result in small gardens, restricted privacy and little space for cars
- question over whether there is enough parking
- new building would be close to existing boundaries
- dangerous part of the road
- will lead to on-street parking
- road safety concerns and additional congestion
- welcome the fact it proposed detached houses
- houses on rear plots would not be discreet behind plots 1 and 2
- access plans are inadequate
- minimum lines of sight inadequate
- road is narrow and busy
- proposed demolition of Coach House will detract from the historical aspect of this period property
- enlargement of the coach house would be preferable
- access to emergency service a problem
- houses at rear will be in close proximity to boundaries
- lowering spatial standards of the area
- out of keeping with area
- unacceptably high and overbearing structure
- extension of roofline of main house would result in a more obtrusive structure
- height and proximity of proposed houses would be intrusive
- loft rooms would provide views into bedrooms and rear gardens
- removal of trees has had an impact on outlook and privacy
- movement of a number of cars and noise from houses considerable and detrimental to enjoyment of neighbouring property
- this part of the road houses are larger on larger plots
- before plot was sold and trees removed the garden was home to extensive wildlife including Bats
- tree screening insufficient to screen plot 4 from 4 Park Hill
- proposed wall to house at plot 4 appears very high
- mutual overlooking between new houses
- important to retain garden space between buildings in older suburban areas
- development would be across almost the entire width of the site
- majority of existing mature garden would be lost to buildings or hard surfaces
- unduly urban in character at odds with mature garden setting of existing site and surrounding area
- incongruous in street scene
- impact on trees
- no evidence to show it would meet local housing needs
- residential garden not classed as previously developed land
- in support of application because it preserves Edwardian house.

### **Comments from Consultees**

Highways - require a legal agreement as to how the proposed pedestrian footway and improvement of sightlines will be achieved; proposed layout of access road needs to be agreed with the area management team; 2 parking spaces per dwelling is adequate as is swept path analysis showing vehicles entering and leaving the site in forward gear; also the trips generated by the proposed development would not be significant. Recommend conditions and informatives.

Environmental Health - no objections in principle recommend informatives re: contamination/noise/pollution.

Drainage - It is not acceptable to discharge surface water run-off to public sewer without attenuation. Applicant is required to carry out surface water design to maximise the use of SUDS and reduce surface water run-off to greenfield run-off rate.

Thames Water - no objections.

### **Planning Considerations**

BE1 Design of New Development  
H1 Housing Supply  
H7 Housing Density and Design  
H8 Residential Extensions  
H9 Side Space  
NE5 Protected Species  
NE7 Development and Trees  
T3 Parking  
T7 Cyclists  
T8 Other Road users  
T18 Road Safety

SPG1 General Design Principles  
SPG2 Residential Design Guidance

London Plan:

3.4 Optimising Housing Potential  
3.5 Quality and Design of Housing Developments  
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  
7.19 Biodiversity and access to nature

Mayor of London's Housing Supplementary Planning Guidance

The NPPF 2012

## **Planning History**

There is no recent planning history related to the application site.

## **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.

Many residential properties in the Borough are characterised by spacious rear gardens and well-separated buildings and policy H7 of the UDP states that proposals which would undermine this character will generally be resisted. However, such development may be acceptable provided it is small-scale and sensitive to the surrounding residential area. Lower residential densities will usually be required and there should be adequate access.

The applicant has argued that the "backland" element of the proposal, comprising the construction of 2 new dwellings at the rear, is small-scale and in keeping with the character of the surrounding area. Furthermore, the residential density of the development would equate to 180 habitable rooms per hectare and 19 units per hectare which is at the lower end of the London Plan guidance for habitable rooms per hectare and below the London Plan guidance for units per hectare, as set out in Table 3.2 of the 2011 London Plan.

Despite this it is considered that the development would represent an overdevelopment of the site, out of keeping with the character of the locality. Specifically, the proposed development would leave the existing property with a significantly reduced rear garden depth, far below the existing spatial standards of the site and those in the vicinity of the area. The resulting buildings would also possess significantly less external amenity space than is generally characteristic of the area. While the applicant refers to a number of other developments in the immediate vicinity which appear to occupy "backland" sites, the majority of these appear to have been granted planning permission prior to the adoption of the current UDP in 2006 and the London Plan in 2011 which also supports a development plan-led presumption against development on back gardens where this can be locally justified.

Therefore, while it could be argued that this area is characterised by backland development to some degree, it is seldom possible to make a case that permission should be granted or refused on the basis of what has happened at another site.

In terms of access, the applicant proposes to increase the sightlines by improving the access roads into the site and creating a pedestrian footway along the site frontage. A new private driveway is proposed to the centre of the site leading to the proposed houses at the rear. Two car parking spaces per dwelling are proposed and a turning area would allow vehicles to enter and leave the site in forward gear. Given the likely number of trips that the development would

generate, the proposal together with the highways improvements, is considered acceptable in so far as it would not have a significant detrimental effect on road safety.

The positioning of the internal driveway at the centre of the site would leave it well-separated from the gardens of neighbouring dwellings and, as such, would not result in additional traffic causing an unacceptable level of disturbance. However, there are concerns over the general disturbance to surrounding properties arising from the occupation of the 3 additional dwellings themselves. In particular, the dwelling at plot 3 would only be situated around 11.5m from the rear of No.1 Claremont Road which has an uncharacteristically small rear garden depth and the living conditions of occupiers of this dwelling and those of others whose gardens surround the application site, would be duly impacted.

No windows are proposed in the flank elevations of plots 3 and 4 and the rear windows would not provide direct views into adjacent sites. However, the views which surrounding residents currently enjoy would be altered from that of a large mature garden to a view containing 2 new houses of substantial scale. Having regard to the level of amenity that local residents currently enjoy and might reasonably expect to continue to enjoy, the development proposed would detract significantly from the amenities of the occupiers of surrounding dwellings.

The proposed side separation distances across the site would comply with the requirements of Policy H9 of the UDP and the siting of the proposed dwelling at the front of the site (plot 2) together with its relationship to the existing dwelling, would appear to provide a satisfactory street scene. However, in terms of the relationship between the proposed houses at the rear with surrounding dwellings and gardens, the proposal would represent a cramped overdevelopment of the site, which would be harmful to the amenities of surrounding residential properties and detrimental to the character of the area.

Furthermore, the development would lack adequate 'back to front' separation distances between the houses at the front of the site and those at the rear, which would result in mutual overlooking between the dwellings and a sub-standard level of residential amenity for future occupants. Furthermore, the provision of a landscaping scheme would fail to mitigate this harm.

With regard to the impact of the proposal on the amenities of adjoining occupiers at No.57 Southborough Road, the dwelling proposed at plot 2 would project substantially further forward than the existing Coach House and the applicant acknowledges that this would result in a perceivable reduction in daylight to the window in the ground floor flank elevation at the neighbouring building. However, there would be substantial separation between the two buildings and on balance, the impact on the outlook and amenity of the adjacent occupiers is not anticipated to be significantly harmful. Two first floor flank windows on the south elevation are proposed for the dwelling at plot 2, however they would serve bathrooms and a condition ensuring they are obscured glass would limit any potential for overlooking towards No.57.

Limited extension and alterations are proposed to the existing dwelling and there is unlikely to be an undue impact as a result of these on the amenities of No.47, to the north. However, the living conditions of the occupiers of No.47 would be detrimentally altered by the relationship described above in relation to the 'backland' element of the scheme, as a result of the additional noise and disturbance created by the additional dwellings.

Policy H7 of the UDP also sets out, at paragraph 4.40, the importance of private gardens for providing wildlife habitats. Concerns have been raised from nearby residents over the loss of trees at the site, stating that many have already been felled and that Bats have previously been sighted on the site. No details of avoidance measures to prevent harm to potential protected species habitats have been submitted and there is insufficient information to understand the nature of impacts and their likely effect on the conservation status of the Bats. Natural England have been consulted and their comments will be reported verbally at the meeting. At this stage it is recommended that the application is refused due to insufficient information concerning protected species at the site.

Having had regard to the above it was considered that the scale, form and layout of the development would result in a cramped overdevelopment of the site, harmful to the visual amenities and character of the area and would result in a significant loss of amenity to local residents. In the absence of any information to the contrary, the proposal is also likely to have a harmful impact on protected species and their habitats.

Background papers referred to during production of this report comprise all correspondence on the file ref. 14/04366 set out in the Planning History section above, excluding exempt information.

as amended by documents received on 30.01.2015

## **RECOMMENDATION: APPLICATION BE REFUSED**

The reasons for refusal are:

- 1 The proposal would represent a cramped form of development, harmful to the spatial standards and level of visual amenity to which the area is currently developed and detrimental to the character of the locality, contrary to Policies BE1, H7 and H9 of the Unitary Development Plan.
- 2 The proposed development would give rise to an unacceptable loss of amenity to the occupiers of surrounding residential dwellings, by reason of general noise and disturbance from the additional dwellings and visual impact, contrary to Policies BE1 and H7 of the Unitary Development Plan.
- 3 The development, as proposed, would give rise to overlooking and inadequate privacy and amenity for future occupiers of the development, contrary to Policies BE1 and H7 of the Unitary Development Plan

- 4 The site may be inhabited by Bats and in the absence of information to understand the nature of harm that the development would cause to this protected species, together with any avoidance measures to prevent the harm, the proposal would have a significant adverse impact on their population or conservation status, contrary to Policy NE5 of the Unitary Development Plan and Policy 7.19 of the London 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)).

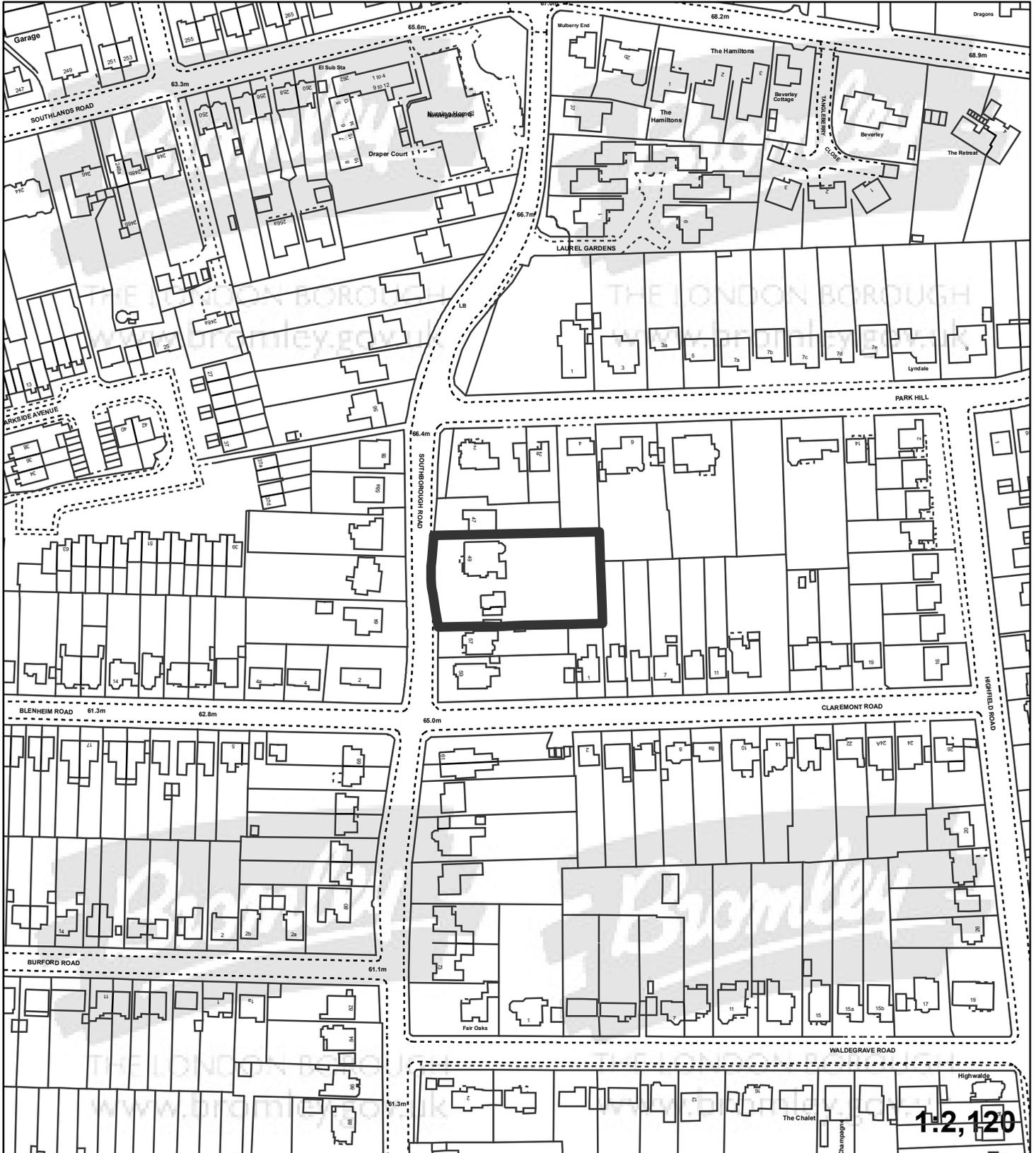
If you fail to follow the payment procedure, the collecting authority may impose surcharges on this liability, take enforcement action, serve a stop notice to prohibit further development on the site and/or take action to recover the debt.

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

**Application:** 14/04366/FULL 1

**Address:** 49 Southborough Road Bickley Bromley BR1 2EL

**Proposal:** Elevational alterations and roof extension to the existing dwelling at No.49 Southborough Road, demolition of the ancillary Coach House and construction of 1 two storey 5 bedroom replacement dwelling, 2 two storey 6 bedroom dwellings (including accommodation in the



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