

SECTION '2' – Applications meriting special consideration

Application No : 15/03041/FULL6

Ward:
Hayes And Coney Hall

Address : 53 Kechill Gardens Hayes Bromley
BR2 7NB

OS Grid Ref: E: 540392 N: 167128

Applicant : Mr And Mrs Nevard

Objections : YES

Description of Development:

Part one/ two storey side and rear extension.

Key designations:

Smoke Control SCA 51

Proposal

The application property is a semi-detached dwelling situated at the northern end of the street which terminates to the north in a cul-de-sac.

The semi-detached dwellings at this end of Kechill Gardens generally have fairly long rear gardens which back onto the shorter rear gardens of houses in Bourne Vale. The houses in Kechill Gardens are also set back from the narrow road and comprise a mix of two storey and bungalow development and a variety in detail of roof design.

The application proposes a part one/two storey side and rear extension. The site has a large side space which was formerly partly occupied by a two storey extension. That extension has been removed, and the side garden area separated from the host dwelling by way of a flank boundary fence.

The scheme proposes a two storey extension at the same ridge height as the highest part of the original dwelling. A minimum 3.7m side space would be retained from the proposed flank wall to the southern boundary. The single storey rear extension proposes a 3.5m rearward projection.

Planning permission was granted under ref. 12/02589 for proposals similar to the current application. At the time of application the host dwelling had a two storey side extension with a flat roof, and the proposals partially retained that extension, albeit with a pitched roof over. In terms of the resultant form and mass of the extension, the proposals are the same.

The permission was subject to a condition requiring that the development be begun not later than 22nd October 2015. The permission was additionally subject to a planning condition which specified that the additional accommodation should only be used by members of the household occupying the host dwelling and shall not be severed to form a self-contained unit.

Consultations

Nearby owners/occupiers were notified of the application and a letter was received requesting clarification regarding the nature of the proposal. Any further comments received will be reported verbally at committee.

Planning Considerations

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

Policy BE1	Design of new development
Policy H8	Residential extensions
Policy H9	Side space

London Plan policy 7.4 Local Character

Supplementary Planning Guidance 1
Supplementary Planning Guidance 2

Planning History

There is a significant planning history which includes the following:

12/02589 - Part one/two storey side and rear extension - Permission

The side space to the southern boundary indicated on the plans the subject of this planning permission show 4.05m to the front tapering down to c 3.7m to the rear. The single storey rear element proposed a 3.5m rearward projection.

12/03353 - Two storey detached dwelling house. Planning permission was refused on the grounds that the proposal represented an overdevelopment of the site harmful to the spacious character of the surrounding area thereby contrary to Policy BE1 of the Unitary Development Plan and Policy 7.4 of the London Plan. The subsequent appeal against the refusal of planning permission was dismissed

13/00228 - Demolition of two storey extension and erection of two storey detached dwelling together with associated work to provide off street parking. Planning permission was refused on the grounds that the proposal would have represented an overdevelopment of the site harmful to the spacious character of the surrounding area thereby contrary to Policy BE1 of the Unitary Development Plan and Policy 7.4 of the London Plan. An appeal against the Council's decision to refuse planning permission was dismissed.

13/03420 - Erection of two storey dwelling with garage and additional attached garage to serve 53 Kechill Gardens on land adjacent 53 Kechill Gardens. Permission was refused on the grounds that the proposal would have represented an overdevelopment of the site harmful to the spacious character of the surrounding area thereby contrary to Policies BE1 and H9 of the Unitary Development Plan and Policy 7.4 of the London Plan. A subsequent appeal against the Council's refusal was dismissed.

Under reference 14/02617 planning permission was refused and dismissed on appeal for the erection of an attached two storey 3 bedroom dwelling, with

extensions and alterations. The Inspector found that the bulk of the extensions proposed, with the exception of a single storey garage, would have been very similar to that permitted under ref. 12/02589.

The Inspector reasoned that the bulk of the extension and the subdivision of the front garden need not appear as a cramped overdevelopment. However, the replication of the design of the existing semi-detached pair incorporating a second front door, the extension of a porch canopy over both doors and the replication of the fenestration pattern would cumulatively have resulted in the property as enlarged "appearing as a terrace of three houses". The Inspector felt that this would have been uncharacteristic in the context of the semi-detached form and appearance of the surrounding development.

The Inspector considered that "it may well have been possible to create an imaginatively designed and attractive new dwellings here that would not have resulted in the semi-detached pair as extended having the uncharacteristic appearance of the a terrace block which, in turn, would give rise to an impression of overdevelopment."

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 previous grant of planning permission under ref. 12/02589 is a material planning consideration in the assessment of the proposals, as is the subsequent planning history including the appeal Inspectors' findings.

Given the siting and design and the proposed side space of the development it may be considered that the impacts on neighbour amenity to the south of the site would not be significantly harmed by the proposal. The main impacts to the north of the site will arise from the single storey 3.5m rear extension but it is not considered that this impact would be so adverse as to warrant the refusal of planning permission.

With regards to the visual impact of the proposal on the character of the street scene, the proposed extension is substantial and would have to be considered in relation to the existing pair of semi-detached dwellings. Previous appeal decisions are material to the consideration of this specific proposal. Inspectors have referenced the rhythm and uniformity of development within the area, and arguably the proposed extension would, in unbalancing the pair of semi-detached dwellings, impact upon the character and appearance of the street scene and that rhythm and uniformity which has been noted as contributing to the distinctive suburban residential character of the area.

In granting planning permission for the previous application, it was noted that the existing flat-roofed extension that would have been replaced already itself created a prominent and incongruous feature in the street scene. It was considered that the

proposed scheme, albeit large, would sit comfortably within its plot and may have helped to bring a visual improvement to the existing situation.

The current proposal does replicate that which was granted planning permission under ref. 12/02589 in terms of its scale, bulk and massing. In terms of planning policies, the relevant UDP planning policies and the SPGs are unchanged, and are consistent with the thrust of planning policies and guidance in the London Plan and the NPPF.

Members will note that the flat roofed extension which it was proposed to replace under ref. 12/02589 with the extension that is again proposed within this current application was demolished at some point last year. The replacement of the previous uncharacteristic and out of character flat roofed extension was a material consideration in the determination of the previous application, and the improved impact that the proposed extension would have on the street scene was afforded some weight. It is necessary to consider whether the changed circumstances of the site in the interim is so significant as to warrant the refusal of permission for the development that was previously considered acceptable.

If permission is granted it is considered appropriate to reiterate the previous conditions relating to the appearance of the extension, parking and the use of the extension should be reiterated, taking into account the site's sensitive history and the care with which the impact of the severance of the site has been considered.

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.

RECOMMENDATION: PERMISSION: Subject to the following conditions:

- 1 The development to which this permission relates must be begun not later than the expiration of 3 years, beginning with the date of this decision notice.**

REASON: Section 91, Town and Country Planning Act 1990.

- 2 Unless otherwise agreed in writing by the Local Planning Authority the materials to be used for the external surfaces of the development hereby permitted shall as far as is practicable match those of the existing building.**

REASON: In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of the appearance of the building and the visual amenities of the area.

- 3 The development hereby permitted shall not be carried out otherwise than in complete accordance with the plans approved**

under this planning permission unless previously agreed in writing by the Local Planning Authority.

REASON: In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of the visual and residential amenities of the area.

- 4** Before commencement of the use of the land or building hereby permitted parking spaces and/or garages and turning space shall be completed in accordance with the approved details and thereafter shall be kept available for such use and no permitted development whether permitted by the Town and Country Planning (General Permitted Development) Order (England) 2015 (or any Order amending, revoking and re-enacting this Order) or not shall be carried out on the land or garages indicated or in such a position as to preclude vehicular access to the said land or garages.

Reason: In order to comply with Policy T3 of the Unitary Development Plan and to avoid development without adequate parking or garage provision, which is likely to lead to parking inconvenient to other road users and would be detrimental to amenities and prejudicial to road safety.

- 5** The additional accommodation shall be used only by members of the household occupying the dwelling at 53 Kechill Gardens and shall not be severed to form a separate self-contained unit.

Reason: In order to comply with Policy H8 of the Unitary Development Plan, to ensure that the accommodation is not used separately and unassociated with the main dwelling and so as to prevent an unsatisfactory sub-division into two dwellings.