

SECTION '2' – Applications meriting special consideration

Application No : 15/02906/FULL1

Ward:
Copers Cope

Address : 61 The Avenue Beckenham BR3 5EE

OS Grid Ref: E: 538603 N: 169870

Applicant : C/O Stiles Harold Williams

Objections : YES

Description of Development:

Demolition of existing dwelling and erection of 2 no. part two/ part three storey blocks, each comprising 4 no. two bedroom flats; associated car parking spaces and cycle and refuse enclosures; formation of 2 new vehicular accesses.

Key designations:

Conservation Area: Downs Hill
Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
London City Airport Safeguarding
London City Airport Safeguarding Birds
Smoke Control SCA 12

Proposal

It is proposed to demolish the existing dwelling on the site and replace it with 2 two storey buildings incorporating accommodation within the roof. Block A would be sited towards the western boundary and Block B would be sited towards the northern boundary of this wedge-shaped site.

Each block is of a similar height, with a ridge line of approx. 9.4m, set marginally lower than the 9.75m height of the proposed gables. Block A would be approx. 11.8m deep over two storeys, with a total depth, including front and rear balcony and single storey projections of 14.5m. It would be 16.25m wide. The design of the block incorporates neo-Tudor detailing including timber beams to the front, side and rear elevations, and a front porch with decorative brick and timber gable. The windows would be multi-paned, and the front and rear balconies would be provided with decorative ironwork railings.

Block B would be of similar appearance, with the gable and dormer features handed. The block would be 12.5m deep over two storeys with a total depth of 15.25m. The design finish would match that of Block A and the block would be a similar width.

Each block would accommodate 4 two bedroom flats. The arrangement of Block A would provide 2 flats on the ground floor and the 2 upper flats being arranged over two storeys, including the roof space. In Block B, 2 ground floor flats are proposed. A further two bedroom flat would be wholly contained on the first floor and a further two bedroom flat would be arranged over the first and second (roof) floors.

A total of 8 car parking spaces would be provided, arranged in two distinct parking areas towards either boundary. Each parking area would be accessed via a new gated driveway and the existing centrally-located driveway would be removed. Refuse storage areas would be provided adjacent to the parking/manoeuvring spaces, surrounded by a 1.2m high brick bin enclosure. A covered cycle store for 8 bicycles would be located at the rear corner of the site.

The curved front boundary of the site would be provided with a metal railing fence which would extend for the full length of the front boundary, with the exception of short gated sections at the access points.

Location

The application site is located to the northern edge of The Avenue at its eastern end, towards the junction with Downs Hill. It forms the southern boundary of the Downs Hill Conservation Area. The Avenue is an unmade and unadopted highway.

The application site is occupied by a detached two storey dwelling close to the northern boundary of the site. The site is a prominent, large corner site, elevated above the road junction. The host dwelling is not considered to be of any particular architectural merit.

Other properties in the locality are of commensurate size and scale to the existing dwelling, although the nearest dwellings in The Avenue are generally set more modest plots than is characteristic to the north, west and east of the site, incorporating that part of Downs Hill that lies within the Conservation Area. The siting of the existing dwelling towards the northern boundary of the site leaves a generous area of garden land between the host property and the southern and eastern boundaries, and this retained space between built development makes a positive contribution to the Downs Hill Conservation Area since it can be seen from within Downs Hill. The site is densely treed and the mature trees, landscaping and spaciousness of the site contribute to a semi-rural quality to the area.

To the south of the site and on the opposite side of The Avenue is a flatted development known as West Oak, which falls outside of the Conservation Area. The four properties within the conservation area to the west are detached two storey dwellings. Beyond this to the west at both northern and southern edges of The Avenue the development comprises predominantly blocks of flats ranging in size and design.

The Downs Hill Conservation Area was designated in 1989 and the Council adopted a Supplementary Planning Guidance (SPG) document for the Downs Hill Conservation Area which was the subject of public consultation.

The Conservation Area is broadly characterised by detached dwellings, unified by their age and their incorporation of neo-Tudor and neo-vernacular elements, including timber beams and cottage effect modest dormer windows.

Consultations

Nearby owners/occupiers were notified of the application and the representations received in response to the consultation are summarised below:

- The reduction in the number of parking spaces increases the concern that The Avenue will become an overflow parking area and will encourage the Council to have the road made up.
- The number of parking spaces is inadequate for the number of flats and does not include any visitor parking
- Overflow parking on The Avenue would be disruptive and would lead to access difficulties
- It would be preferable for the site to be used to provide 2 smaller houses
- The site is within a Conservation Area
- The proposal would be out of character with the area
- Potential flooding risks
- Would set a precedent for more flats to be built
- The development would look unsightly and out of place
- Impact on views within the Conservation Area
- The design is an unattractive pastiche, insensitive and lacking in good architecture
- The road would not sustain the heavy works traffic without a negative impact on its condition
- Trees in The Avenue are frequented by owls and other wildlife that use the wildlife corridor that runs from Beckenham Place Park to The Avenue
- While the host dwelling is neglected, it is not uninhabitable.

Comments from Consultees

No objections are raised with regards to sewerage and water infrastructure capacities.

APCA raised no objections to the proposals.

No objections are raised from the Council's drainage advisor.

From a technical highways perspective, it is suggested that the cycle storage be relocated as close as possible to the entrance of the proposed development in order to maximise convenience and security.

The site is located in an area with PTAL rate of 2 (on a scale of 1-6 where 6 is the most accessible) and the Highways Engineer would prefer the provision of 2 visitor car parking spaces, one each for the two proposed buildings (i.e. 5 car parking spaces for each car park).

If Members are minded to grant planning permission, a number of planning conditions are suggested.

Planning Considerations

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

BE1 Design of New Development

BE11 Conservation Areas

BE12 Demolition in Conservation Areas
H1 Housing Supply
H7 Housing Density and Design
H9 Side space
NE7 Development and Trees
T3 Parking
T18 Road Safety

Supplementary Planning Guidance 1 & 2.

Supplementary Planning Guidance: Downs Hill Conservation Area.

The application falls to be considered in accordance with the following policies of the London Plan:

3.3 Increasing Housing Supply
3.4 Optimising Housing Potential
3.5 Quality and Design of Housing Developments
3.8 Housing Choice
3.9 Mixed and Balanced Communities
5.12 Flood Risk Management
5.13 Sustainable Drainage
6.9 Cycling
6.13 Parking
7.1 Building London's Neighbourhoods and Communities
7.2 An Inclusive Environment
7.3 Designing Out Crime
7.4 Local Character
7.6 Architecture
7.8 Heritage Assets and Archaeology
7.21 Trees and Woodland
8.3 Community Infrastructure Levy.

The Mayor's Housing Supplementary Planning Guidance.

The National Planning Policy Framework, with which the above policies are considered to be consistent.

Planning History

81/01123 Permission refused for two detached houses

82/01136 Permission refused for four terraced dwellings

Both these applications relate to the erection of No. 59 and No. 59a on land that was formerly part of No. 61. The refusal of two dwellings under ref. 81/01123 was subsequently allowed at appeal.

Under reference 14/03502 planning permission was refused for the demolition of the existing detached dwelling and the erection of two storey buildings with

accommodation within the roofspace to provide eight two bedroom flats. The previously refused proposal incorporated 12 car parking spaces accessed via a total of 3 vehicular access points (2 new vehicular accesses and the retention of the existing access). Planning permission was refused on the following grounds:

"1. The proposals, by reason of the size, height, bulk and massing of the buildings, would result in an overdevelopment of the site, which would fail to preserve or enhance the character and appearance of Downs Hill Conservation Area, thereby contrary to Policies BE1, BE11 and H7 of the Unitary Development Plan and London Plan Policy 3.9.*

2. The proposed rear balconies would result in overlooking of neighbouring properties which would be detrimental to residential amenity and contrary to Policy BE1 of the Unitary Development Plan."

*The appeal Inspector acknowledged at the subsequent appeal that this was a typographical error and that rather than Policy 3.9, Policy 3.5 of the London Plan was relevant.

A subsequent appeal against the Council's refusal of planning permission was dismissed under reference APP/G5180/W/14/3001656. The Inspector considered that the main issues for consideration were the character and appearance of the Conservation Area and the impact of the proposals on residential amenity.

With regards to the impact of the proposal on residential amenity, referred to in reason 2 of the Council's decision notice, the Inspector found that the screening and distance between the existing and proposed development would mitigate the level of overlooking to an acceptable extent. He also considered that although the scheme may have resulted in some additional overshadowing of neighbouring properties, that impact was not significant and that there would not be a conflict with Policy BE1 in respect of the impact of the proposals on residential amenity.

With regards to the impact of the proposal on the character and appearance of the area, however, the Inspector found that the scheme would fail to preserve or enhance the character and appearance of the Conservation Area. The Inspector reasoned that the appeal site is prominently located and elevated above the road junction. The depth of two storey development was considered to be greater than both neighbouring properties, and the height and depth of development, including a deep roof accommodating a second floor, would "give each block a substantial bulk and scale."

He considered that "The mass of development so close to neighbouring buildings would cause the scheme to have a cramped and dominant appearance, which would contrast unfavourably with the more spacious characteristics of the CA."

The two new driveways would to an extent offset the retention of trees along the site's frontage and the additional proposed landscaping, opening up some views into the site from the highway. At paragraph 14 of the decision notice the Inspector stated: "The 3 driveways together with hardstanding areas for 12 cars to the front and side of the buildings, and residents' bin enclosures, would result in a more

intensely used and urban character, which would contrast markedly with the CA's established character of single detached dwellings, and its semi-rural appearance."

In conclusion, the Inspector found:

"It is each block's substantial massing so close to neighbouring development, together with the introduction of large areas of parking, driveways and other facilities towards the front of this prominent plot that would harm the streetscene, and make the proposal significantly at odds with other development in the CA."

Conclusions

The current proposal seeks to overcome the grounds for refusal in respect of the previous application and the deficiencies in the scheme identified by the appeal Inspector in dismissing the subsequent appeal against the Council's refusal of planning permission.

The main issues in the determination of this application are considered to be the impact of the proposal on the visual amenities of the area in general and the impact of the proposal on the character and appearance of the Downs Hill Conservation Area in particular. In addition, the on-site parking provision falls to be considered, as does the impact of the proposals on residential amenity.

While the previous scheme was refused partly on the grounds that the proposals would have had an adverse impact on residential amenity, the Inspector found that there would not have been a conflict with Policy BE1's requirement that development should respect the amenities of neighbouring occupiers. The Inspector's decision is a material planning consideration in the assessment of this proposal which seeks to overcome the dismissal at appeal of the previous scheme. Since the current proposal sites the development with greater separation to the boundaries and at a reduced height to the scheme considered acceptable in residential amenity terms by the Inspector, it is considered that the impact of the proposal on residential amenity would not be significantly harmful.

It was acknowledged at appeal that the Council had no objection in principle to the loss of the existing building as the building itself is not considered to be of any particular architectural merit, and the Inspector did not disagree with this view. The main issues therefore to be addressed are the impact of the proposals on the character and appearance of the Conservation Area and the distinctiveness of the area in general, and the extent to which the proposed reduction in the total number of parking spaces would be considered to be acceptable taking into account the low PTAL rating of the site.

A summary of the differences between the current scheme and the previously unsuccessful proposal may be helpful in reaching a conclusion regarding the extent to which the current proposal has addressed the adverse impacts identified by the Inspector.

In terms of their siting in relation to each other, the blocks would be 1.9m apart in comparison with the 2.6m space between Blocks A and B provided under ref. 14/03502.

The flank elevation of Block A would be sited 4.4m from the flank elevation of 59A The Avenue, and a side space of 3m would be provided to the boundary on that side of the site, which represents an increase of approx. 0.9m.

The northern flank elevation of Block B would be sited approx. 2.8m to the southern flank elevation of No. 67 Downs Hill and the separation between the northern elevation and the boundary would be 1.8m which represents an increase of approx. 0.8m.

The depth of Block A would be 14.5m including the front and rear balconies which remains as previously proposed in terms of the fundamental footprint of the building. The depth of Block B has been reduced from approx. 15.3m to 14.5m. The height of both blocks has been reduced from 10.4m to 9.75m and the width of the blocks (excluding the overhanging eaves) has reduced, more so in the case of Block B which would have a reduced width of 16.2m rather than the 17.7m previously proposed. Block A lies towards the western boundary of the site with No.59a and is proposed to be 16.2m wide rather than the 17.2m width previously proposed.

The external design has been altered from a plain, reasonably contemporary appearance to a neo-Tudor appearance. The number of access points would be reduced from 3 to 2 as through the stopping up of the central access, and the car parking previously provided in a central position has been deleted, with a total of 8 spaces now provided in 2 distinct parking areas adjacent to the flank boundaries of the site. Refuse storage areas have been relocated and screening is proposed to limit direct views from the street.

It is considered that the proposals represent an improvement over the previous scheme in several respects. The reduction in the height of the buildings is welcomed, in addition to the increased separation to the site boundaries. The reduction in the number of parking spaces additionally concentrates the hard surfaces associated with the development towards the boundaries, leaving the centre of the site more generously landscaped.

However, the general reduction in bulk and mass is limited in its extent and the amendments to the physical proportions of the proposed buildings are considered to have an inadequate cumulative impact in addressing the concerns raised regarding the mass and bulk of development in proportion to the site and the surrounding Conservation Area.

Furthermore, the proposed blocks would actually be sited closer to each other than was the case in the previous proposal. The reduction in the space retained between what remain quite substantial buildings falls to be very carefully considered, taking into account the fact that the loss of separation results where each building is appreciably two-storey in height and that the general bulk and mass of the buildings in relation to the site is greater than the characteristic pattern of development within the site's surroundings.

The Inspector considered that the height and depth of the development "and the deep roof accommodating a second floor" gave each block a substantial bulk and scale. It is acknowledged that the current application incorporates a reduction in the height of each block. However, the retention of appreciable accommodation in the roof would tend to visually emphasise the bulk of the development comparative to other buildings within the Conservation Area despite the reduction in height.

In assessing the character of the Conservation Area, the Inspector noted that the sense of spaciousness in the area was sometimes reinforced by gaps between buildings "or those parts of a building which are located close to a side boundary being single storey or having a relatively low eaves line." The SPG for the Conservation Area states that some buildings are one-and-a-half storey and others are slightly larger two storey structures, with first floor formers set into the roof to achieve a 'cottage effect'.

Where dormers and other roof development is a feature in the Conservation Area, this tends to facilitate first floor accommodation; second floor/three storey accommodation is not a feature common to the character of the Conservation Area. The Inspector did not explicitly state that three storey development was unacceptable, but did refer to the mass of development close to neighbouring development and the substantial bulk and scale of the unacceptable proposals being informed by the deep roof accommodating a second floor.

Members may consider that while the increased separation to the boundaries of the site in conjunction with the reduction in the height of the roof would represent an improvement over the previous proposals, the modest extent of this reduction in scale, mass and bulk, the reduction in the separation between the blocks and the retention of second floor accommodation would fail to preserve or enhance the character and appearance of the Conservation Area. The illusion of space between dwellings within the Conservation Areas is provided at least in part by the stepping down of development on either side of the boundary. It is acknowledged that the application proposals would occupy the same site and that the central divide between the buildings within the site would be nominal rather than a defined flank boundary. However, in attempting to complement the form of development in the CA by providing distinct blocks rather than a large single development block, the separation between these blocks themselves becomes important in the assessment of the extent to which the scheme is complementary to the pattern of development in the area and the distinctive character of the CA. The wedge shape of the site and its prominence and elevation makes the separation between the blocks especially important in terms of contributing positively to and complementing the character of the Conservation Area.

With regards to the concerns raised in respect of the number of on-site car parking spaces, the site has a low PTAL of 1b. The applicant has provided a detailed list of nearby transport links, and states that the site is extremely accessible due to the closeness of Ravensbourne and Beckenham Junction stations. Parking spaces would be provided at a ratio of 1:1 and the reduction in the amount of the site given over to hardsurfaces to provide the previously proposed 12 parking spaces represents a visual improvement, although the resultant impact in terms of the reduced on-site car parking provision falls to be carefully considered.

The Highways Engineer does not raise objections in principle to the proposed development's parking and access provisions, but has identified ways in which the proposals could be improved from a technical highways perspective. The addition of an extra car parking space for each building would be welcomed in that it would provide for visitor parking. In addition, the relocation of the cycle parking facilities to a more convenient and accessible position is suggested. It is necessary to consider whether the deficiencies identified, in terms of lack of visitor parking and the siting of the cycle stores, would have so adverse an impact on conditions of safety and the free flow of traffic as to warrant the refusal of planning permission on these grounds alone, or whether the issues could be addressed by way of suitably worded planning conditions.

On balance, it is considered that the size, height and massing of the buildings and their in relation to each other and the boundaries of the prominent corner plot in which they would be sited would neither preserve nor enhance the character and appearance of the CA. The increased separation to boundaries and general reduction in the amount of hardsurfaces in front of the buildings in the centre of the site are welcomed; however it is not considered that the current scheme adequately overcomes the previous grounds for refusal and the Inspector's reasoning in dismissing the appeal. The proposals remain unsympathetic to the character and appearance of the conservation area and the distinctive residential qualities of the area in general.

While it is acknowledged that the proposal would provide additional housing units towards meeting the supply of new dwellings in the Borough, it is not considered that this aspect of the proposal would outweigh the significant harms identified above.

Background papers referred to during production of this report comprise all correspondence on the file ref(s) 14/03502 set out in the Planning History section above, excluding exempt information.

RECOMMENDATION: APPLICATION BE REFUSED

The reasons for refusal are:

- 1 The proposals, by reason of the size, height, bulk and massing of the buildings, would result in an overdevelopment of the site and would fail to preserve or enhance the character and appearance of the Downs Hill Conservation Area, thereby contrary to Policies BE1, BE11 and H7 of the Unitary Development Plan and Policy 3.5 of the London Plan.**