

SECTION '4' – Applications recommended for refusal Or disapproval of details

Application No : 15/04351/FULL1

Ward:
Bickley

Address : 2 The Avenue Bickley Bromley BR1 2BT

OS Grid Ref: E: 541959 N: 168605

Applicant : Mr Adam Jude Grant Esq

Objections : YES

Description of Development:

Proposed two bedroom detached dwelling

Key designations:

Biggin Hill Safeguarding Birds Aldersmead Road
Biggin Hill Safeguarding Area
London City Airport Safeguarding
London City Airport Safeguarding Birds
Smoke Control SCA 13
Smoke Control SCA 12

Proposal

The proposed dwelling will be sited to the rear of No. 2, subdividing the plot to create a new residential curtilage. The dwelling will have a height of 5.9m and a maximum width of 6.1m. The dwelling is of modern design with a pitched roof feature located within a centralised position within the roof space.

The dwelling will provide side space of between 630mm to the front of the dwelling and 1.475m to the rear along the western boundary and 1.4m to 3.3m to the rear along the eastern flank boundary. The proposed dwelling provides a separation of 9.5m to the rear boundary and 4.5m from the highway and is proposed to be sited within a centralised position within the plot.

The proposal will provide one car parking space and two cycle spaces and will utilise the existing access onto Beaconsfield Road.

Consultations

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

- Entirely out of keeping
- This may not be limited to a two bedroom dwelling
- Overlooks the rear of 3A Beaconsfield and is intrusive in terms of overlooking the back garden and into the property at both levels
- contravenes the minimum side space to the boundaries

No technical drainage objections are raised subject to a standard conditions.

No Thames Water objections are raised.

Environmental Health (Housing) make comments with regards to the open plan nature of the dwelling

Environmental Health (Pollution) - No objections subject to informatives

Technical highways comments have been received raising no objection to the scheme subject to conditions.

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
T18 Road Safety

SPG No.1 - General Design Principles
SPG No.2 - Residential Design Guidance

London Plan (July 2011)

Policy 3.3 Increasing Housing Supply.
Policy 3.4 Optimising Housing Potential
Policy 3.5 Quality and design of housing developments
Policy 3.8 Housing choice
Policy 5.1 Climate change mitigation
Policy 5.2 Minimising carbon dioxide emissions
Policy 5.3 Sustainable design and construction
Policy 5.10 Urban greening
Policy 5.12 Flood risk management
Policy 5.13 Sustainable drainage
Policy 5.18 Construction, excavation and demolition waste
Policy 6.9 Cycling
Policy 6.13 Parking
Policy 7.2 An inclusive environment
Policy 7.3 Designing out crime
Policy 7.4 Local character
Policy 7.6 Architecture
Policy 8.3 Community infrastructure levy

London Plan Supplementary Planning Guidance (SPG)

Housing: Supplementary Planning Guidance. (November 2012)

Planning History

13/00552/FULL1 - Erection of a detached two storey five bedroom dwelling with accommodation in roof space and associated car parking using access onto Beaconsfield Road - Refused (Dismissed on appeal - APP/G5180/A/13/2199796)

14/00784/FULL1 - Detached two storey four bedroom dwelling with accommodation in roof space and associated car parking using existing access onto Beaconsfield Road. (Dismissed on appeal - APP/G5180/A/14/2229115)

15/02992/FULL1 - Proposed two bedroom dwelling - Refused

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 impact on parking and highway safety is also a consideration.

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.

The most recent application 15/02992/FULL1 concerned a proposed two bedroom dwelling. The proposed house was of modern design with a flat roof profile. The reasons for refusal were as follows:

1. The proposal, by reason of its flat roof design would be overtly prominent and considered detrimental to the character and visual amenities of the locality contrary to Policies BE1 and H7 of the Unitary Development Plan, chapter 7 of the London Plan and the aims and objectives of the NPPF.
2. The proposed development, due to the size and scale of outdoor amenity space and inadequate outlook and provision of natural light would fail to provide a satisfactory standard of living accommodation for its future occupants. The proposals are therefore contrary to Policy 3.5 Quality and Design of Housing Developments of the London Plan (2011), The London Plan Supplementary Planning Guidance: Housing (November 2012) and Policies BE1 and H7 of the Unitary Development Plan.
3. The development, by virtue of its siting, would unduly compromise the residential amenity afforded to the owner occupiers of 3a Beaconsfield Road and would allow for an unacceptable overbearing impact and overshadowing contrary to Policy BE1 and H7 of the Unitary Development Plan.

4. The proposal does not comply with the Council's requirement for a minimum 1 metre side space to be maintained to the flank boundary in respect of two storey development in the absence of which the new dwelling would constitute a cramped form of development, out of character with the street scene, conducive to a retrograde lowering of the spatial standards to which the area is at present developed and contrary to Policy H9 of the Unitary Development Plan.

The main issues to be considered in respect of this application are:

- o Principle of Development
- o Design
- o Standard of Residential Accommodation
- o Highways and Traffic Issues
- o Impact on Adjoining Properties

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.

Principle of Development

Housing is a priority use for all London boroughs and the Core Strategy welcomes the provision of small scale infill development in the Areas of Stability and Managed Change provided that it is designed to complement the character of surrounding developments, the design and layout make suitable residential accommodation, and it provides for garden and amenity space. The National Planning Policy Framework (NPPF) states in Paragraph 49 that housing applications should be considered in the context of the presumption in favour of sustainable development.

The NPPF sets out in paragraph 14 a presumption in favour of sustainable development. In terms of decision-making, the document states that where a development accords with a local plan, applications should be approved without delay. Where a plan is absent, silent or relevant policies are out of date, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits or specific policies in the Framework indicate development should be restricted.

The document also encourages the effective use of land by reusing land that has been previously developed (brownfield land) and excludes gardens from the definition of previously developed land.

Policy H7 of the UDP sets out criteria to assess whether new housing development is appropriate subject to an assessment of the impact of the proposal on the appearance/character of the surrounding area, the residential amenity of adjoining and future residential occupiers of the scheme, car parking and traffic implications, community safety and refuse arrangements.

The site is located in a residential location where the Council will consider infill development provided that it is designed to complement the character of surrounding area, the design and layout make suitable residential accommodation, and it provides for garden and amenity space. Any adverse impact on neighbouring amenity, conservation and historic issues, biodiversity or open space will need to be addressed. Therefore the provision of an additional dwelling unit on the land is acceptable in principle subject to an assessment of the impact of the proposal on the appearance/character of the surrounding area, the residential amenity of adjoining and future residential occupiers of the scheme, car parking and traffic implications, sustainable design and energy, community safety and refuse arrangements.

Members may consider that the principle of the sub division of the site has been agreed in principle by the Inspector within Appeal reference APP/G5180/A/13/2199796 . Plot sub-division in the immediate area appears to have already occurred over the years in several instances. The issue is therefore not the sub-division itself but, instead, the ability of the plot to satisfactorily accommodate the dwelling proposed and the design of the dwelling house inclusive of the impact on neighbouring residential amenity.

Design, Siting and Layout.

The site is situated facing Beaconsfield Road with vehicular access also from this location. The land previously hosted single storey garaging forming the boundary with the adjacent amenity space. The land forms a buffer between numbers 3a and 3 along the south of Beaconsfield Road. The site is tapered so that it narrows significantly towards the north.

The dwelling is sited in a centralised position within the plot, with the front elevation 3.4m in front of the front elevation of number 3 and 5.6m behind the front elevation of number 3a. The front elevation of the dwelling is located approximately 4.5m from the edge of the highway and 10m from the rear boundary.

The siting of the dwelling is led by the constraints of the plot, with the design of the dwelling narrowing at the front to fit the tapered nature of the site from 4m to 6.2m at the rear. The dwelling is sited within a centralised position and is reduced in projection from the previously refused application, allowing for a distance to the rear boundary of 10m to be retained.

Saved Policy H9 requires proposals of two or more storeys in height to be a minimum of 1m from the side boundary. H9(ii) states that 'where higher standards of separation already exist in residential areas, proposals will be expected to provide a more generous side space. Para 4.48 explains that the Council considers that it is important to 'prevent a cramped appearance and is necessary to protect the high spatial standards and visual amenity which characterise many of the Borough's residential areas'. Amended plans were received which provided a space of 1.09m to the common side boundary with number 3A to the front and 1.25m with the common side boundary of number 3 in compliance with policy H9.

Residential Amenity

Standard of Residential Accommodation

Policy 3.5 of the London Plan (2011) Quality and Design of Housing Developments states the minimum internal floorspace required for residential units on the basis of the level of occupancy that could be reasonably expected within each unit.

Policy BE1 in the Adopted UDP states that the development should respect the amenity of occupiers of future occupants.

The floor space size of the dwelling is approximately 84 square metres. Table 3.3 of the London Plan requires a Gross Internal Area of 87m² for a 2 bedroom 4 person dwelling house. On this basis the floor space provision is considered acceptable.

The room shapes, size and layout in the proposed dwelling are considered satisfactory. Previous concerns as to the provision of a reasonable outlook and natural light of the habitable rooms due to the extensive use of louvred screens to mitigate the impact of overlooking into neighbouring residential properties/amenity space have been overcome. The Applicant now proposes larger windows within the north and south elevations with minimal apertures at ground floor level within the side elevations.

Standard of Amenity Space

Amenity space has been provided measuring 10m from the rear elevation to the rear boundary with 2 The Avenue. Members may consider that this is a reasonable and functional size, commensurate with a family dwelling house.

Impact on Adjoining Properties

Policy BE1 states that new development should respect the amenity of occupiers of neighbouring buildings and those of future occupants and ensure their environments are not harmed by noise and disturbance or by inadequate daylight and sunlight or privacy or by over shadowing. The proposed dwelling is to be sited within 2m-2.3m of the common side boundary with number 3A for 6m past the main rear elevation of the dwelling. Whilst this is considered a betterment to that as previously refused, the extent in which it projects into the rear amenity space is still considered to be an overbearing form of development that would overshadow and dominate the rear amenity space of the neighbouring dwelling. It is appreciated that some of the built form will be partially mitigated due to the siting of the single storey garage along the boundary however given the extent of the projection of the blank, unrelieved elevation, Members may consider that the development would be unneighbourly and overbearing. Furthermore, the siting of the proposed dwelling would also negatively impact upon the outlook from the habitable room windows at the rear contrary to the standards as laid out within Policy BE1.

By virtue of the separation distances provided between the proposed dwelling at that at number 3, it is not considered that the development would adversely impact neighbouring amenity in this regard.

Design

It is noted that there is a variety of plot shapes and curtilage areas in Beaconsfield Road, within which modern dwellings have been erected. Beaconsfield Road also hosts a plethora of differing architectural styles inclusive of single and two storey dwellinghouses of both detached and semi-detached nature. It is not considered that there is a regimental form of development within the surrounding locality therefore a modern and contemporary style of architecture may be considered acceptable.

The application bears some similarities in terms of siting and footprint to the application refused under ref: 14/00784/FULL1, with the front projecting element in this case sited further forward within the plot. The Inspector in this case stated that 'due to the narrow width of its front projecting wing the proposed dwelling would have visually strong vertical lines. The verticality of the dwelling would be further increased by the high eaves height on part of the front elevation, the overall depth of the roof and the split frontage. Together these features would accentuate the actual and perceived height of the dwelling'. Whilst it is appreciated that this dwelling is proposed of a more modern and contemporary style, Members may consider that the Inspectors comments in this case are a material consideration. By comparison, the dwelling at number 3A that shares a similar floor level, is not as tall as that proposed, has lower eaves and is significantly wider.

Amendments were received which changed the design of the roof however concerns are still raised in this regard. Due to the tapered nature of the plot, the rear element of the dwelling is considerably wider than the front projecting wing of the house which includes a flat roof element that runs down the ridge of the property. The two elements of the property do not appear cohesive with one another due to the differences in roof profile and the awkward relationship that occurs because of this. Furthermore, the roof is proposed to be constructed utilising matching materials to the neighbouring properties which Members may consider at odds with its modern design and would appear out of place upon the proposed dwelling house.

Concerns are also raised as to the treatment of the side elevations of the dwellinghouse. When viewed on approach from the east and west, the elevations appear stark and unrelieved due to the absence of fenestration. The choice of white render exacerbates the starkness of elevations further increasing the prominence of the dwelling within the wider locality. Further to this, the location of the proposed parking when coupled with the projection of the proposed dwelling in front of the property at number 3 would increase the prominence of the dwelling.

On balance, Members may consider that the design of the scheme is considered unacceptable in that it will appear out of character and prominent within the wider locality. Concerns are also raised as to the impact of the proposed dwelling upon the property at number 2a given its unrelieved appearance, extent of the projection into the rear amenity and the close proximity of the built form to the common side boundary.

Highways

The Highways Officer has not objected to the scheme subject to conditions.

Having had regard to the above Members may consider that the proposed development is unacceptable in that it would result in a significantly detrimental impact on the character of the area, is of an unacceptable design and would impact harmfully on the amenities of nearby residential properties.

as amended by documents received on 17.11.2015

RECOMMENDATION: APPLICATION BE REFUSED

The reasons for refusal are:

1

The development, by virtue of its siting, would unduly compromise the residential amenity afforded to the owner occupiers of 3a Beaconsfield Road and would allow for an unacceptable overbearing impact and overshadowing contrary to Policy BE1 and H7 of the Unitary Development Plan.

2

The proposal, by reason of its design would be overtly prominent and considered detrimental to the character and visual amenities of the locality contrary to Policies BE1 and H7 of the Unitary Development Plan, chapter 7 of the London Plan and the aims and objectives of the NPPF.