

## **SECTION '2' – Applications meriting special consideration**

**Application No :** 15/04608/FULL1

**Ward:**  
**Shortlands**

**Address :** 28 Wickham Way Beckenham BR3 3AF

**OS Grid Ref:** E: 538108 N: 168308

**Applicant :** Mr D Amsbury

**Objections :** YES

### **UPDATE:**

This application was considered by Members of the Plans - Sub Committee on 4th February 2016, which resolved to approve the proposal subject to conditions. However, it became apparent after the committee that a local resident had attempted to send through an email on that day but following the IT issues caused by a power outage on that day which affected the whole of Bromley Council it was not received. Given any representations are normally accepted and verbally reported if received on the day of the committee, the decision has therefore not been issued and is being reported back to this committee.

The content of this report remains the same as does the officer's recommendation, however the objection received on the day of the committee can be summarised as follows:

- Comments were not sufficiently reflected in the officer's report.
- Do not agree with the Inspectors views that the house makes only a 'neutral' contribution to the Conservation Area. However in light of the Inspectors appeal decision, regrettably have to accept my view is not sustainable.
- The scale and design of the new house is critical as a precedent appears to be established which has implications for the future of the Conservation Area.
- The current proposal for the replacement dwelling is clearly a high quality design and is generally sympathetic to the Arts and Craft character of the early houses on the Park Langley estates. However there is one discordant feature in the design and that is the large two storey garage with a second floor containing dormer windows on the side elevation. Although it is set back from the front building line, it is very prominent and not sufficiently subservient to the host dwelling.
- Request deferral for negotiation of the scale, height and window treatment of the garage, which should be more subservient to the main dwelling than the proposed.

A petition with 157 signatures was hand delivered to the planning department and this was verbally reported to the planning committee. This is also now a material consideration of this application.

It should be noted that the neighbouring property's (32 Wickham Way) appeal was dismissed on 1st February 2016. Members may consider in this instance that the

appeal decision does not affect the consideration of the subject site, given that a separation distance of 5.17m and 3m will be maintained to each side boundary.

Officers recommendation of approval subject to conditions remains the same.

The previous report is attached below:

### **Description of Development:**

Demolition of existing dwelling and erection of a 5 bed detached house with detached garage

Key designations:

Conservation Area: Park Langley

Biggin Hill Safeguarding Area

London City Airport Safeguarding

Smoke Control SCA 21

Smoke Control SCA 9

Urban Open Space

### **Proposal**

Demolition of existing dwelling and erection of a 5 bed detached house with detached garage

Location

The application site is located towards the northern end of Wickham Way on its western side close to the junction with Elwill Way and falls within the Park Langley Conservation Area.

This section of Wickham Way is characterised by substantial two storey dwellings of individual design, the majority of which sit in a spacious landscaped settings behind a variety of low boundary treatments.

The front building line is fairly consistent and in most cases, generous spaces remain between buildings with trees, shrubs and hedges having a strong visual presence.

The existing dwelling is of an Arts and Crafts style and sits within a wider than average plot measuring some 45m in width

Proposal

Planning permission is sought for the demolition of existing dwelling and erection of a 5 bed detached house with detached garage.

The existing house and outbuildings have a total ground floor coverage of 208.9sqm and the proposed house will be 322.7sqm. The increase in footprint will

mainly be to the rear, infilling the open area within the L shape of the existing house. The combined frontage of the existing house including the garage and shed is 21.8 meters and the proposed house and attached garage will be 23.3meters.

The proposed house is located centrally within the plot set in from the northern boundary by 3.05 metres and 5.18m from the southern boundary. The dwelling will be in line with the existing building line of the immediate neighbouring properties, providing generous setbacks to the front boundary of between 9 and 10m.

## **Consultations**

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

- Should be no demolition of a house built before the second world war. This is a perfectly good house.
- Unnecessary to demolish existing house
- Will block the light to the houses on either side
- Overlooking
- Proposed property consists of three storeys
- Out of keeping with the concept of the Conservation area
- Proposed house is out of keeping
- Too large and overbearing
- House extends further back into the garden than previously and will destroy the pleasant outlook at the rear of the houses on either side of this new development.
- Not all residents were notified

Two letters of support were also received which can be summarised as follows:

- Not adverse to a new house being built to the site but all material used should be sympathetic to the Conservation area.
- As the proposed new building is of similar style to existing and does not appear to be applying for a larger foot print, than would have been allowed had the property been extended, By replacing with a new build this will allow for the building to become more energy efficient which should be encouraged.

A full copy of these letters are available on the file.

Internal consultees:

Conservation officer: The existing house was deemed by the inspector at appeal as making a neutral contribution to the CA meaning it could be demolished if a suitable replacement was found. This proposal is far better than the one for 2 houses on the site and I believe sufficient side space would be retained to protect the spatial standards of the conservation area. The style and scale would also be acceptable and if you are minded to recommend permission. Material conditions C01 and C03 are suggested.

Tree officer : There are no significant trees within the site address or within neighbouring land that would warrant the making of a Tree Preservation Order

(TPO). Trees located within the site are of limited value and would not be considered a constraint to the development. No tree works are proposed in the application. On this occasion I would not recommend any conditions are applied in the event that planning permission is granted.

### **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  
BE11 Conservation Areas

### **Planning History**

04/01839/FULL6 Part one/two storey side, single storey rear and rear dormer extensions; increased depth of existing first floor balcony with provision of side access staircase and decking area Withdrawn : 18.06.2004

04/02741/PLUD Roof extension, canopy area to ground floor and rear conservatory CERTIFICATE OF LAWFULNESS FOR A PROPOSED DEVELOPMENT Granted: 25.08.2004

04/03275/FULL6 Extension to first floor balcony at rear external staircase and timber decking. Granted: 02.11.2004

12/03866/FULL1 Subdivision of existing plot and erection of two replacement two storey 6 bedroom detached dwellings with integral parking. Refused: 15.03.2013

12/03867/CAC Demolition of existing dwellinghouse CONSERVATION AREA CONSENT Refused: 15.03.2013

14/01647/FULL1 Subdivision of existing plot and erection of two replacement two storey 5 bedroom detached dwellings with accommodation in the roofspace and integral garages. Refused: 13.08.2014

### **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.

Principle of demolition of existing dwelling

The principle of the demolition of the existing house has already been established in the appeal decision APP/G5180/A/13/2196575 and APP/G5180/E/13/2196577 where the Inspector found:

'The main parties and local residents dispute the exact age of No.28, but it was constructed during an early phase of the development of the estate. It is a non designated heritage asset and is not locally listed. Its architecture reflects aspects of the design of other houses in the road and their external materials and it sits well in its context. No.28 is a fairly attractive building with some Arts and Crafts detailing however there is no evidence to demonstrate that the house is in any way exceptional. To my mind its setting within its plot is more important than the house itself. Various assessments were carried out in accordance with guidelines produced by English Heritage to determine whether No.28 has a neutral or positive effect on the character and appearance of the conservation area. Having considered all the evidence provided, I conclude that No.28 has a neutral effect and that its demolition would have minor impact on the significance of the conservation area as it is sufficiently robust to absorb small scale change'

Whilst there is no objection to the demolition of the existing house in principle, it would not be appropriate to allow demolition unless an acceptable replacement dwelling is proposed that would not harm the character and appearance of the conservation area. The merits of the proposed replacement dwelling is therefore considered in the sections below.

#### Impact upon the character and appearance of the Conservation Area

Section 6 of the National Planning policy Framework (NPPF) requires that the design of new housing significantly enhances its immediate setting and should be sensitive to the defining characteristics of the local area. Section 7 further states that permission should be refused where a development fails to improve the character and quality of an area.

Policy H7 of the UDP states that the site layout, buildings and space about buildings must recognise and complement the qualities of the surrounding areas. Furthermore, paragraph 4.35 of the UDP, states; "within the Borough there are many diverse and attractive housing areas, and, in the context of Government policy, it is the Council's view that their individual characteristics and quality should be adequately protected."

Supplementary Planning Guidance No. 2 (Residential Design Guidance) states "local context is of particular importance when adding new buildings to established areas. Building lines, spaces between buildings, means of enclosure and the use and location of garden or amenity space should all respect the character of the locality".

The previous application 14/01647 was refused and dismissed at appeal due to the reduction in side spacing between the dwellings and the adjoining houses. This application has addressed this issue by maintaining significant distances from both flank walls to the boundaries, 3m to the northern elevation and 5.17m to the

southern boundary.. The total combined frontage of the existing house i.e. house garage and shed is 21.8m and the total frontage of proposed house with attached garage is 23.30 metres and is therefore not considered to be excessively larger in spatial standards when viewed from the streetscape. In fact the main two storey dwelling is similar in width to the existing house. Further, the front elevation will be set back between 1 and 3 metres from the front elevation of the existing house which allows for additional front garden space. The new dwelling would not result in a loss of openness and is not considered detrimentally erode its spatial and landscape characteristics. The bulk and scale of the new dwelling is not considered to be overdominant and has been designed sympathetically.

Moreover, the roof above the double garage will be lower than the main ridge which affords views to the rear of the house. Whilst it is accepted that the rear element will be greater in footprint than the existing, it would not project any deeper than the single storey rear element of the existing house and essentially infills the open area within the L shape of the existing house.

The overall scale and design of the new dwelling, and its location within the site is considered to be appropriate, would not harm the appearance of the Wickham Way Street scene and would preserve the character and appearance of the conservation area. The new dwelling is considered to be compliant with the overarching aims and objectives of policies H7, H8, and BE11 of the UDP and the Council's relevant SPG's.

#### Impact on the amenities of the surrounding residential properties

Whilst elements of the new dwelling will be higher than the existing use, given the considerable distance from both neighbouring properties this increase is not considered to cause any undue harm to the amenities of the neighbouring properties.

The only window to the first floor side elevation serves an ensuite which will be obscure. At roof level, there will be two windows on the side elevation serving a games room on the northern elevation and a bedroom on the southern elevation. Given there are additional windows to the rear serving the games room and that the side elevation of No. 24 is within 10 metres, it would be appropriate to condition this window as obscure glazing up to 1.8m in height to prevent overlooking. The window serving a bedroom on the southern elevation is the only window serving this habitable room. Given that the flank wall of No. 32 is almost 19m away it is not considered that there would be significant overlooking to this property.

#### Highways

The proposed new dwelling will provide a new double garage to the northern side of the new dwelling. There will also be sufficient parking in front of the garage. Accordingly, the proposed new dwelling is not considered to cause any loss of parking or any issues of highway safety.

## Summary

Having regard to the previous appeal decision where the Inspector , concluded that No.28 has a neutral effect and that its demolition would have minor impact on the significance of the conservation, Members may consider that, on balance, the replacement dwelling is of an appropriate design and scale which would preserve the character of the Conservation Area. Furthermore, Members are asked to consider that the development in the manner proposed is acceptable in that it would not result in a significant loss of amenity to local residents.

## 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 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:**

- 3 Details of the materials to be used for the external surfaces of the building shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced. The works shall be carried out in accordance with the approved details.**

**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

- 4 Details of the windows (including rooflights and dormers where appropriate) including their materials, method of opening and drawings showing sections through mullions, transoms and glazing bars and sills, arches, lintels and reveals (including dimension of any recess) shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced. The windows shall be installed in accordance with the approved details.**

**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.

- 5** The development permitted by this planning permission shall not commence until a surface water drainage scheme for the site based on sustainable drainage principles, and an assessment of the hydrological and hydro geological context of the development has been submitted to, and approved by, the Local Planning Authority. The surface water drainage strategy should seek to implement a SUDS hierarchy that achieves reductions in surface water run-off rates to Greenfield rates in line with the Preferred Standard of the Mayor's London Plan.

**Reason:** To reduce the impact of flooding both to and from the proposed development and third parties.

- 6** Before the development hereby permitted is first occupied the proposed window serving the games room in the roof on the northern elevation ; shall be obscure glazed and fixed shut to a height of 1.8m in accordance with details to be submitted to and approved in writing by the Local Planning Authority and details of any openings shall be submitted to and approved in writing by the Local Planning Authority and shall subsequently be permanently retained in accordance with the approved details

**Reason:** In order to comply with Policy BE1 of the Unitary development Plan and in the interest of the amenities of the adjacent properties