

SECTION '2' – Applications meriting special consideration

Application No : 16/00689/FULL6

Ward:
Copers Cope

Address : 11 Brindlewick Gardens Beckenham
BR3 1DG

OS Grid Ref: E: 537185 N: 170564

Applicant : Ms Barbara Ormston

Objections : YES

Description of Development:

Outbuilding at rear
RETROSPECTIVE APPLICATION

Key designations:

Biggin Hill Safeguarding Area
Green Chain
London City Airport Safeguarding
Metropolitan Open Land
Smoke Control SCA 12

Proposal

The application seeks retrospective planning permission for an outbuilding in the rear garden of no. 11 Brindlewick Gardens, Beckenham.

The building is located in the north-western rear corner of the garden and measures 2.74m in width by 4.26m in length. It has a flat roof to a height of 2.39m with two roof lights above projecting a further 0.15m above the flat roof. The building is located 0.68m from the rear boundary and 6.2m from the western side boundary. It is described within the submitted planning statement as ancillary to the main house used as a summer house/home office/study room. It has been constructed of painted white timber with a lead clad roof and includes a door within the southern elevation facing the main house and two windows in the eastern elevation facing towards the garden and neighbouring property at no. 10.

Location

The application site comprises a detached dwellinghouse located on Brindlewick Gardens, Beckenham. The property is part of a new development including 48 dwellinghouses on land formerly used by Kent County Cricket Club. As such, the land lies within Metropolitan Open Land (MOL) which has now been developed.

Consultations

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

- o Too big for the garden
- o Out of character with the rest of development particularly the lead roof
- o Too close to neighbouring garden fence and above the fence
- o The summer house has had electricity and air conditioning installed, what will it be used for?
- o Air con pipes face neighbouring garden
- o Will it be used for business?
- o Large roof windows, when opened, may encroach onto neighbouring garden
- o Building dominates the small joined garden areas
- o Large and unattractive
- o Changed the appearance of the development to a crowded space
- o Loss of outlook
- o Proposed feature tree will cause loss of light
- o Permitted development has been cancelled as the site would soon become overdeveloped
- o Visual impact not in keeping
- o If this is allowed and the rest of the residents do the same thing it would ruin the visual impact of the development

Any further comments received will be reported verbally at the meeting.

Comments from Consultees

There were no internal or external consultees.

Planning Considerations

The application falls to be determined in accordance with the following policies:

Unitary Development Plan

BE1 Design of New Development

H8 Residential Extensions

G2 Metropolitan Open Land

Planning History

The property is part of a new development granted permission in 2012 (under ref: 11/02140/OUT). As part of the approval a number of conditions were imposed on development, including the removal of permitted development rights under Classes A, B, C or E of the legislation preventing alterations and extensions to the property including outbuildings (condition 10 of the approval).

A details pursuant application to the original permission was granted under ref: 13/02555/DET.

Conclusions

The main issues relating to the application are the effect that it would have on the character and appearance of the host dwelling and area in general, and the impact that it would have on the amenities of the occupants of surrounding residential properties.

The property is located within land designated as MOL. However, following a grant of planning permission in 2012, as detailed above, for a scheme of 48 new houses as well as buildings related to Kent County Cricket Club, much of this section of MOL has been developed. As such, any further residential development to the existing dwellings (as granted permission) of this nature are not considered to result in any further harm to the MOL. However, consideration must still be given as to the impact of the development on the character of the area in general, now developed, and the amenities of the neighbouring residential properties.

Policies H8, BE1 and the Council's Supplementary design guidance seek to ensure that new development, including residential extensions are of a high quality design that respect the scale and form of the host dwelling and are compatible with surrounding development. Policy BE1 also seeks to ensure that new development proposals, including residential extensions respect the amenity of occupiers of neighbouring buildings and that their environments are not harmed by noise and disturbance or by inadequate daylight, sunlight or privacy or by loss of outlook or overshadowing.

It is noted that the size and height of the outbuilding which has been constructed would normally fall within the limits of the permitted development legislation. The submitted statement states that the applicants were not aware of the removal of permitted development rights before construction and as such now apply for retrospective permission to enable its retention.

A number of objections have been received from neighbouring residents which have been summarised above. Concerns have been raised with regards to the setting of a precedent within the area, if the building is allowed. The removal of permitted development rights from the original grant of permission for the development means that all extensions, including outbuildings, require the approval of formal planning permission. This is not intended to prevent all further development to the site, but to enable the Council to consider whether or not the proposal is appropriate in accordance with the relevant policies at the time, and any other material considerations, including any comments received locally. Each case must be treated on its own merits at the time of submission with full consideration given to the siting, size, design and scale of the development proposed and its impact on the area and the amenities of neighbouring properties.

Comments received from neighbours also relate to the size and design of the building, its proposed use, and its impact on the character of the area, which if allowed may set a precedent within the new development. As discussed above, the size of the building would normally fall within the limits of the permitted development legislation. Whilst concerns raised regarding its size are noted, following a visit to the site it does appear overly dominant within the garden and an adequate of amenity space within the rear garden is maintained. The existing

boundary fences along the side and rear boundaries are 1.8m in height and as such the building which extends to a height of 2.4m projects only 0.6m above these boundary treatments. In addition, it has been located 0.6m away from the boundaries shared with no.'s 9 and 12 Brindlewick Gardens, which further reduces the impact. The building has been constructed to a high quality finish and the materials used reflect the existing development.

Taking into account the above, Members may therefore consider that in so far as the design and appearance of the outbuilding and the impact on neighbouring amenities, the development would accord with Policies H8 and BE1 of Bromley's Unitary Development Plan, which seek to ensure that the proposal is of a high standard of design, that it would not adversely affect the character and appearance of the area, and would not cause undue harm to the amenities of the neighbouring residential properties as to warrant a refusal of the application.

The building has been described as a summer house/home office/study area, and following the site visit the Council would have no reason to disagree with this use. However, in order to ensure that the building remains ancillary to the main dwelling and is not used for any other purpose than incidental to the host property, a condition should be imposed on any approval to this respect.

Background papers referred to during production of this report comprise all correspondence on the file, excluding exempt information.

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- 1 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.

- 2 The single storey detached building hereby permitted shall only be used for purposes incidental to the residential use of the main house and for no other purpose.**

Reason: In order to comply with Policies BE1 of the Unitary Development Plan and in the interests of the residential amenities of the area.