

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

**Application No :** 16/01192/FULL1

**Ward:**  
**Clock House**

**Address :** L'Ancrese Hayne Road Beckenham  
BR3 4HY

**OS Grid Ref:** E: 536908 N: 169757

**Applicant :** Jamcap Ltd

**Objections : YES**

### **Description of Development:**

Demolition of existing dwelling and erection of three storey building comprising 6 x 2 bed flats with 7 car parking spaces and associated landscaping.

Key designations:

Smoke Control SCA 12

### **Proposal**

Planning permission is sought for the demolition of existing dwelling and erection of a three storey building comprising 6 x 2 bed flats with 7 car parking spaces and associated landscaping. The application has been amended from its original submission which involved 7 x 2 flats. This revised application has removed one of the units at roof level and therefore the overall height has been reduced. The following assessment is based on the amended plans.

The proposed building would be three storeys with a maximum building height of 11.7m to street level and a front gable projection

7 car parking spaces are located to the front of the building and the existing vehicular access will need to be widened.

### **Location**

The application site contains a detached two storey dwelling on the eastern side of Hayne Road. The neighbouring building to the north is a detached dwellinghouse of a similar style and design. The neighbouring developments to the north along Blakely Road comprise two and three storey residential buildings.

The neighbouring building to the south is a four storey flat roofed block of flats. The neighbouring buildings to the south beyond this are a block of flats with a similar massing and scale. There is an access drive between the application site and the block of flats which provides access to the parking area to the flats. The spacing between buildings resulting from the presence of this access drive means the flank

elevations of the application site and the block of flats are visible in the street scene.

The property is not listed and not located within a conservation area. It is located within Flood Zone 3.

## **Consultations**

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

### Original application

- Oppose the demolition of existing house which is perfectly feasible as a family house, not overly large
- The neighbouring house is of similar style and to have this new block next door will leave it isolated in ranks of ugly fats that blight Hayne Road.
- The proposed block is too high and too unlike any other neighbouring building and detracts from the street scene.
- Overdevelopment of the site
- Out of character with adjoining building
- Loss of privacy and overlooking from proposed balcony
- Overshadowing and loss of light
- Inadequate parking
- The proposed plans only describe black tarmac and do not specify any additional trees or shrub planting
- Noise and disturbance from parking to front

### Reconsultation of amended plans and new description

- Reduction in one unit does not overcome previous objection
- Overlooking
- Overdevelopment of the site
- Out of character
- Overshadowing
- Overall height has barely changed

### Internal consultees

Drainage - no objections

Highways - no objections subject to conditions including alterations to highway

### External consultees

Environment Agency - The Environment Agency originally objected to the application on the grounds of insufficient information as the submitted Flood Risk Assessment (FRA) did not comply with the requirements set out in paragraph 9 of the Technical Guide to the National Planning Policy Framework. Negotiations between the applicant and the Environment Agency were undertaken and a revised FRA dated 21/11/2016 was submitted. The Environment Agency have no

objections subject to finished floor levels are set no lower than 30.93, AOD as outlined in the report.

## **Planning Considerations**

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

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BE1 Design of New Development  
BE7 Railings, Boundary Walls and Other Means of Enclosure  
H1 Housing Supply  
H7 Housing Density and Design  
NE7 Development and Trees  
NE8 Conservation and Management of Trees and Woodland  
ER10 Light pollution  
T3 Parking  
T7 Cyclists  
T18 Road Safety

The Council's adopted Supplementary Planning Guidance (SPG) documents are also a consideration in the determination of planning applications. These are:

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

The Council is preparing a Local Plan and commenced a period of consultation on its proposed submission draft of the Local Plan on November 14th 2016 which closed on December 31st 2016 (under The Town and Country Planning (Local Planning) (England) Regulations 2012 as amended). The updated Local Development Scheme was submitted to Development Control Committee on November 24th 2016 and Executive Committee on November 30th 2016, and indicated the submission of the draft Local Plan to the Secretary of State in the early part of 2017.

Draft Policy 1 Housing Supply

Draft Policy 4 Housing Design  
Draft Policy 8 Side Space  
Draft Policy 37 General Design of Development  
Draft Policy 73 Development and Trees  
Draft Policy 30 Parking  
London Plan (July 2015)

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 5.7 Renewable energy  
Policy 5.9 Overheating and cooling  
Policy 5.10 Urban greening  
Policy 5.11 Green roofs and development site environs  
Policy 5.12 Flood risk management  
Policy 5.13 Sustainable drainage  
Policy 5.14 Water quality and wastewater Infrastructure  
Policy 5.15 Water use and supplies  
Policy 6.9 Cycling  
Policy 6.12 Road network and capacity  
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. (2016)

Technical Housing Standards (2015)

## **Planning History**

There is no relevant planning history

## **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 main issues relating to the application are the principle of the development and the effect in principle that a residential development would have on the character and appearance of the locality, the effect of the design layout and scale on the locality and visual amenity of the area, access arrangements and the impact the scheme would have on the living conditions and amenities of nearby properties.

## Principle of Development

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 developments are 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 currently in residential use and is located adjacent to residential dwellings to the north and south. In this location the Council will consider residential infill development 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. Any adverse impact on neighbouring amenity, conservation and historic issues, biodiversity or open space will need to be addressed.

The provision of the new dwelling units on the land is therefore 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 refuse arrangements.

### Scale and Layout.

The National Planning Policy Framework (NPPF) states that a key role for planning is to seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. Further to this, paragraph 58 of the NPPF states that planning decisions should aim to ensure that developments function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; establish a strong sense of place, respond to local character and history, and reflect the identity of local surroundings and materials; and are visually attractive.

The London Plan further reiterates the importance of ensuring good design, and states, in Policy 7.4, that development should improve an area's visual or physical connection with natural features and, in areas of poor or ill-defined character, development should build on the positive elements that can contribute to establishing an enhanced character for the future function of the area. Policy 7.6 of the London Plan also states that development should be of the highest architectural quality, be of a proportion, composition, scale and orientation that enhances, activates and appropriately defines the public realm and should comprise details and materials that complement, not necessarily replicate, the local architectural character.

Policy BE1 of the UDP states that development should be imaginative and attractive to look at, should complement the scale, form, layout and materials of adjacent buildings and areas. Development should not detract from the existing street scene and/or landscape and should respect important views, skylines, landmarks or landscape features. Space about buildings should provide opportunities to create attractive settings with hard or soft landscaping and relationships with existing buildings should allow for adequate daylight and sunlight to penetrate in and between buildings.

Having regard to the character and appearance of the existing building, and the street scene, the proposed building in principle would be an acceptable replacement. The hipped roof ensures it would relate acceptably to the neighbouring two storey dwelling, Stanbrook, whilst the taller front gable element would transition acceptably to the adjacent blocks of flats. A side space of between 1.7 and 2m is proposed to the northern boundaries which is considered adequate spacing so as not to appear cramped within its plot.

Policy H9 refers to what the Council will normally require in terms of retaining a side space. In some instances where there is appropriate justification, it may not be that a full height and length of the flank wall be required. The purpose of Policy H9 is to retain space around residential buildings to ensure adequate separation and to safeguard the privacy and amenity of adjoining residents. Furthermore, the policy seeks to prevent a cramped appearance and unrelated terracing from occurring.

A side space of between 0.8m to 1m would be retained to the south boundary. Whilst this does not technically comply with Policy H9 the context of the site is unique in that there is accessway of between 4.8m and 6m serving the adjacent flats which runs alongside the application site. This space should be maintained and a terracing effect will not occur. The proposal is therefore not considered to be detrimental to the character and appearance of the surrounding area and will comply with the purpose of Policy H9. In addition the front building will be substantially set back approximately 14m from the front boundary, in line with the building line of the adjacent properties. This will further prevent a cramped appearance.

### Standard of Accommodation

The London Plan, London Plan Housing SPG and Housing Technical standards set out minimum floor space standards for dwellings of different sizes. These are based on the minimum gross internal floor space requirements for new homes relative to the number of occupants and taking into account commonly required furniture and spaces needed for different activities and moving around. The quality of the proposed accommodation needs to meet these minimum standards.

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

The units would comply with the minimum baseline standards as indicated below:

	London Plan (2015) Baseline	Unit measurement from plans
Flat 1 (2b4p)	70sq.m	73.4sqm
Flat 2 (2b4p)	70sq.m	77.6sq.m
Flat 3 (2b4p)	70sq.m	73.4sq.m
Flat 4 (2b4p)	70sqm	77.6sqm
Flat 5 (2b4p)	70sqm	73.4sqm
Flat 6 (2b4p)	70sqm	77.6sqm

The layouts submitted indicate that all rooms would receive adequate level of light, outlook and ventilation. Each unit would have a balcony of approximately 2.86sqm, aside from Unit 2 which would have a private garden. Whilst the private amenity space does not comply with the technical standards of 5sqm in the London Plan, given that there is communal amenity space at ground level and that larger balconies would increase the bulk of the building, the provision on this occasion is considered to be acceptable.

#### Impact upon neighbouring amenity

Whilst the height of the proposed building is higher than the existing house, the northern flank wall will be set in 2.3m from the existing flank wall facing Stanbrook. This is considered sufficient distance to protect the amenities of the neighbouring property. A window serving a communal hallway would be located at first floor level on the northern elevation. This could be conditioned to be obscure glazed to ensure no loss of privacy.

The southern flank wall would be located 0.8m and 1m from the boundary. In addition to the accessway of 4.8m and 6m serving the adjacent block of flats, it is not considered that the proposed development would have a detrimental impact upon the amenity of the occupants of the adjacent flats. Whilst habitable room windows are proposed on the southern elevation, given the distance from the boundary and that there are no habitable room windows on the elevation of the block of flats and there would be no loss of privacy.

#### Parking and access

The parking bay will need to be removed to increase the width of the access serving the application site and this can be dealt with by condition.

Seven parking spaces are provided to the front which accords with policy

12 cycle spaces are proposed which is considered to be satisfactory.

The applicant is utilising the existing access arrangement; this access needs to be widened in order to improve the sightlines. Furthermore the on street parking bays needs to be altered to improve the visibility splays the bays to the north should be reduced by 2.5m and the bay to the south needs to be deleted and extend the double yellow lines. The applicant is required to fund all the necessary works. Whilst an on street parking space will be lost or reduction in size of parking bays on Hayne Road will have minimum impact on capacity as these are free bays.

## Flooding

The Environment Agency originally objected to the application . However a revised FRA is now considered to be satisfactory and the Environment Agency raise no objections subject to conditions.

The Environment Agency originally objected to the application on the grounds of insufficient information as the submitted Flood Risk Assessment (FRA) did not comply with the requirements set out in paragraph 9 of the Technical Guide to the National Planning Policy Framework. Negotiations between the applicant and the Environment Agency were undertaken and a revised FRA dated 21/11/2016 was submitted. The Environment Agency have no objections subject to finished floor levels are set no lower than 30.93, AOD as outlined in the report.

Having had regard to the above it was considered that the siting, size and design of the proposed extension is acceptable in that it would not result in a significant loss of amenity to local residents nor impact detrimentally on the character of the area.

Therefore if members are minded to approve planning permission, this would be subject to a Unilateral Undertaking

## Summary

Having had regard to the above , Members may consider that the development, on balance in the manner proposed is acceptable in that it would not result in a significant loss of amenity to local residents nor impact detrimentally on the character of the area, subject to a Unilateral Undertaking for highway works

**as amended by documents received on 21.11.2016**

## **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: In order to comply with Policy BE1 of the Unitary Development Plan and to secure a visually satisfactory setting for the development.**

- 3** Details of all external materials, including roof cladding, wall facing materials and cladding, window glass, door and window frames, decorative features, rainwater goods and paving where appropriate, shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced. The development 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** No windows or doors additional to those shown on the permitted drawing(s) shall at any time be inserted in the side elevation(s) of the extensions; hereby permitted, without the prior approval in writing of the Local Planning Authority.

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

- 5** The first floor window on the northern elevation serving a stairwell, shall be obscure glazed and fixed shut to a height of 1.7m 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.

- 6** Details of the means of privacy screening for the balcony(ies) shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced. The development shall be carried out in accordance with the approved details and permanently retained as such.

**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.

- 7** 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.

- 8** Before commencement of the development hereby permitted details of (a) turning area(s) within the site shall be submitted to and approved in writing by the Local Planning Authority. The turning area(s) shall be

provided before any part of the development is first occupied and shall be permanently retained thereafter.

**Reason:** In order to comply with Policies T3 and T18 of the Unitary Development Plan and to enable vehicles to enter and leave the site in a forward direction, in the interest of pedestrian and vehicular safety.

- 9 No wall, fence or hedge on the front boundary or on the first 2.5 metres of the flank boundaries shall exceed 1m in height, and these means of enclosure shall be permanently retained as such.

**Reason:** In order to comply with Policy T18 of the Unitary Development Plan and in the interest of pedestrian and vehicular safety.

- 10 Before any part of the development hereby permitted is first occupied that part of a sight line of 43m x 2.4m x 43m which can be accommodated within the site shall be provided in both directions at 43m x 2.4m x 43m; and with the exception of trees selected by or the Local Planning Authority no obstruction to visibility shall exceed 1m in height in advance of this sight line, which shall be permanently retained as such.

**Reason:** In order to comply with Policy T18 of the Unitary Development Plan and to ensure that the proposal does not prejudice the free flow of traffic and conditions of general safety along the adjoining highway.

- 11 Before the access hereby permitted is first used by vehicles, it shall be provided with 3.3m x 2.4 x 3.3m visibility splays and there shall be no obstruction to visibility in excess of 1m in height within these splays except for trees selected by the Local Planning Authority, and which shall be permanently retained thereafter.

**Reason:** In order to comply with Policy T18 of the Unitary Development Plan and in the interest of pedestrian and vehicular safety.

- 12 While the development hereby permitted is being carried out a suitable hardstanding shall be provided with wash-down facilities for cleaning the wheels of vehicles and any accidental accumulation of mud of the highway caused by such vehicles shall be removed without delay and in no circumstances be left behind at the end of the working day.

**Reason:** In the interest of pedestrian and vehicular safety and in order to comply with Policy T18 of the Unitary Development Plan.

- 13 Details of arrangements for storage of refuse and recyclable materials (including means of enclosure for the area concerned where necessary) shall be submitted to and approved in writing by the Local Planning Authority before any part of the development hereby permitted is commenced and the approved arrangements shall be completed before any part of the development hereby permitted is first occupied, and permanently retained thereafter.

**Reason:** In order to comply with Policy BE1 of the Unitary Development Plan and in order to provide adequate refuse storage facilities in a location which is acceptable from the residential and visual amenity aspects.

- 14 Before any part of the development hereby permitted is first occupied, bicycle parking (including covered storage facilities where appropriate) of 3 cycle spaces per unit shall be provided at the site in accordance with details to be submitted to and approved in writing by the Local Planning Authority, and the bicycle parking/storage facilities shall be permanently retained thereafter.

Reason: In order to comply with Policy T7 of the Unitary Development Plan and Policy 6.9 of the London Plan and in order to provide adequate bicycle parking facilities at the site in the interest of reducing reliance on private car transport.

- 15 Details of a scheme to light the access drive and car parking areas hereby permitted shall be submitted to and approved in writing by the Local Planning Authority before the development hereby permitted is commenced. The approved scheme shall be self-certified to accord with BS 5489 - 1:2003 and be implemented before the development is first occupied and the lighting shall be permanently retained thereafter.

Reason: In order to comply with Policy T3 and Appendix II of the Unitary Development Plan in the interest of visual amenity and the safety of occupiers of and visitors to the development.

- 16 The existing access shall be stopped up at the back edge of the highway before any part of the development hereby permitted is first occupied in accordance with details of an enclosure to be submitted to and approved in writing by the Local Planning Authority. The approved enclosure shall be permanently retained as such.

Reason: In order to comply with Policy T11 of the Unitary Development Plan and in the interest of pedestrian and vehicular safety.

- 17 Prior to the commencement of the development hereby permitted a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall include measures of how construction traffic can access the site safely and how potential traffic conflicts can be minimised; the route construction traffic shall follow for arriving at and leaving the site and the hours of operation, but shall not be limited to these. The Construction Management Plan shall be implemented in accordance with the agreed timescale and details.

Reason: In order to comply with Policy T5, T6, T7, T15, T16 & T18 of the Unitary Development Plan and in the interest of the amenities of the adjacent properties.

- 18 Surface water from private land shall not discharge on to the highway. Details of the drainage system for surface water drainage to prevent the discharge of surface water from private land on to the highway shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of works. Before any part of the development hereby permitted is first occupied, the drainage system shall be completed in accordance with the approved details and shall be retained permanently thereafter.

**Reason: In the interest of pedestrian and vehicular safety and in order to comply with Policy T18 of the Unitary Development Plan.**

- 19 No loose materials shall be used for surfacing of the parking and turning area hereby permitted**

**Reason: In the interest of pedestrian and vehicular safety and in order to comply with Policy T18 of the Unitary Development Plan.**

- 20 The development shall be implemented in accordance with the Arboricultural Survey and Report by MWA Arboriculture dated 4th February 2016 submitted and approved as part of the planning application and under the supervision of a retained arboricultural specialist in order to ensure that the correct materials and techniques are employed.**

**Reason: To ensure that works are carried out according to good arboricultural practice and in the interests of the health and amenity of the trees to be retained around the perimeter of the site and to comply with Policy NE7 of the Unitary Development Plan.**

- 21 Finished floor levels shall be set at 30.93m AOD**

**Reason: To reduce the risk of flooding to the proposed development and future occupants**

- 22 Before development commences, amended plans shall be submitted and approved in writing to the Local Planning Authority showing finished floor levels set no lower than 30.93m AOD as outlined in the Flood Risk Assessment dated 21/11/16.**

**Reason: To reduce the risk of flooding to the proposed development and future occupants**

- 23 The Flood Risk Assessment shall be implemented according to the details contained therein**

**Reason: To reduce the risk of flooding to the proposed development and future occupants**

- 24 The development hereby permitted shall incorporate measures to minimise the risk of crime and to meet the specific needs of the application site and the development. Details of these measures shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of the development hereby permitted, and implemented in accordance with the approved details. The security measures to be implemented in compliance with this condition shall achieve the "Secured by Design" accreditation awarded by the Metropolitan Police.**

**Reason: In the interest of security and crime prevention and to accord with Policies H7 and BE1 of the Unitary Development Plan**

- 25 No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure,**

and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

Reason: The proposed works will be in close proximity to underground sewerage utility infrastructure.

- 26 Prior to the first occupation of the development, works to the highway including the deletion of a parking space, the increase of the double yellow line and accessway must be undertaken to the satisfaction of the Local Planning Authority and maintained as such thereafter

Reason: In the interest of pedestrian and vehicular safety and in order to comply with Policy T18 of the Unitary Development Plan.

You are further informed that :

- 1 Thames Water recommend the following informative be attached to this planning permission. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx. 1 bar) and a flow rate of 9 litres/minute at this point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.
- 2 You should contact extension 4621 (020 8313 4621 direct line) at the Environmental Services Department at the Civic Centre with regard to the laying out of the crossover(s) and/or reinstatement of the existing crossover(s) as footway. A fee is payable for the estimate for the work which is refundable when the crossover (or other work) is carried out. A form to apply for an estimate for the work can be obtained by telephoning the Highways Customer Services Desk on the above number.
- 3 Street furniture/ Statutory Undertaker's apparatus "Any repositioning, alteration and/ or adjustment to street furniture or Statutory Undertaker's apparatus, considered necessary and practical to help with the modification of vehicular crossover hereby permitted, shall be undertaken at the cost of the applicant