

Section '3' - Applications recommended for PERMISSION, APPROVAL or CONSENT

Application No : 16/05835/FULL6

Ward:
Shortlands

Address : 76A Elwill Way Beckenham BR3 6RZ

OS Grid Ref: E: 538788 N: 168082

Applicant : Mr D Chipchase

Objections : YES

Description of Development:

First floor side extension

Key designations:

Area of Special Residential Character
Biggin Hill Safeguarding Area
London City Airport Safeguarding
Open Space Deficiency
Smoke Control SCA 9
Smoke Control SCA 21

Proposal

The application site is a two storey detached property located on the western side of Elwill Way. The site is located within Park Langley Area of Special Residential Character.

Permission is sought for a first floor side extension that is located above the existing garage. It will be 4.7m wide and 7.3m deep.

Consultations

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

- o Design doesn't appear to have changed since the previous refusal
- o Addition is still bulky and imposing on the neighbouring house
- o The house was never intended to be any larger as it was itself an 'infill'

Planning Considerations

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

BE1 Design of New Development
H8 Residential Extensions
H9 Side Space
Policy H10 Areas of Special Residential Character

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). It is anticipated that submission of the draft Local Plan to the Secretary of State will occur in the early part of 2017. These documents are a material consideration. The weight attached to the draft policies increases as the Local Plan process advances.

Draft Policy 6 Residential Extensions
Draft Policy 8 Side Space
Draft Policy 37 General Design of Development
Draft Policy 44 Areas of Special Residential Character

The site has been subject to previous planning applications:

- o 95/01284/FUL - Part one/two storey front/side and rear extension - Refused 13.07.1995.
- o 95/01799/FUL - Single storey front/side and rear extension - Permitted 23.11.1995
- o 12/03714/FULL6 - First floor side extension and extension to existing front porch - Permitted 25.09.2013
- o 16/04455/FULL6 - First floor side extension - Refused 25.11.2016

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.

A recent planning application was refused under planning ref: 16/04455/FULL6 for a first floor side extension. The reasons for refusal were as follows:

1. The proposal does not comply with the Council's requirements for a high standard of side space separation to be maintained to the flank boundaries in respect of two storey development in the absence of which the extensions 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.
2. The proposal by reason of its design and overall bulk and mass would not be subservient to the main dwelling and would be detrimental to the character and appearance of the host dwelling and wider street scene, contrary to Policy BE1 and H8 of the UDP.

The applicant has since highlighted that the previous permission (ref.12/03714/FULL6), indicated a side space of 1.8m however revised plans were submitted (25/06/2013) to show the correct side space of 0.9m at ground floor level and 1.5m at first floor level. This was considered by Plans Sub Committee held on the 19th September 2013. The revised plans submitted as part of 12/03714/FULL6 have been uploaded to the original application for completeness. This previous application together with revised plans must be a material consideration in the determination of the new application.

Accordingly, this current application therefore seeks to effectively renew the planning permission 12/03714/FULL6 which was granted permission at committee.

The proposed first floor extension will be located above the existing garage. It will be 4.7m wide, 7.3m deep and have a maximum height of 6.77m. The roof will be pitched at an angle to match the existing dwelling. Amended plans were received 30/03/2017 which indicates the correct distances to the boundary.

Policy H9 of the Unitary Development Plan states that for a proposal of two or more storeys in height, a minimum 1 metre space from the side boundaries of the site should be retained for the full height and length of the flank wall of the building, however, where higher standards of separation already exist within residential areas, proposals will be

expected to provide a more generous side space, including corner plots. The current application indicates 0.9m side space between the existing ground floor flank elevation and the boundary line, with the first floor set in by 1.5m from the boundary. The side space was measured on site and confirmed that the minimum side space is 0.95m wide. Given the first floor extension would be set in 1.5m from the boundary with No.76 and will not project any deeper than the existing rear line, the proposal is not considered to have any adverse impacts on the amenities of neighbouring properties.

It is therefore considered that the circumstances have not significantly changed since the previous permission (12/03714/FULL6) and, although the proposal would be contrary to the Council's policies regarding side space, the proposal is not considered result in a significant loss of amenity to local residents nor impact detrimentally on the character of the area.

as amended by documents received on 30.03.2017
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 Unless otherwise agreed in writing by the Local Planning Authority the materials to be used for the external surfaces of the development hereby permitted shall as far as is practicable match those of the existing building.**

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.

- 3 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.

- 4 No windows or doors shall at any time be inserted in the first floor flank elevation(s) of the extension hereby permitted, without the prior approval in writing of the Local Planning Authority.**

REASON: In order to comply with Policies BE1 of the Unitary Development Plan and in the interest of the amenities of the adjacent properties.