

SECTION '2' – Applications meriting special consideration

Application No : 17/03364/FULL6

Ward:
Copers Cope

Address : West Lodge Beckenham Place Park
Beckenham BR3 5BP

OS Grid Ref: E: 537637 N: 170415

Applicant : Mr & Mrs Robinson

Objections : YES

Description of Development:

Proposed rear garden annexe to provide living accommodation for a family member, subservient to the main house.

Key designations:

Area of Special Residential Character
Biggin Hill Safeguarding Area
London City Airport Safeguarding
Smoke Control SCA 12

Proposal

Permission is sought for a single storey annex to the rear garden of the property to accommodate the applicant's son, wife and grandchild. The extension measures 11m in width x 9m in depth x 4.7m in height. The annex will have a pitched roof, have several solar panels attached to the roof and clad in timber. Doors and windows are shown to be inserted into all four elevations. The property has an existing garage located to the rear curtilage of the property.

This site lies on the west side of Beckenham Place Park, Beckenham and lies within an Area of Special Residential Character. The site has a pathway to the left hand side of the property which leads down to a gate which can only be accessed by the applicant and occupiers of several flatted developments to the rear.

Consultations

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

- This proposal is within an Area of Special Residential Character as designated by LB Bromley UDP and provides an important privacy and buffer space between Wood Lodge, Fairways, Tudor Manor and the residential blocks of Clive Court and Barry Court.
- The scale and placement of this proposal means it could easily become a separate distinct dwelling.

- The proposal appears to be a substantial detached self-contained unit with a 100m² footprint featuring 2 bedrooms, a large living area, a bathroom, ancillary spaces, a 4m high pitched roof.
- It is understood that the Applicant has since approached LBC&J with a view to purchasing the adjoining pathway, which is a reflection of the inherent access problems the site has.
- The application states that no trees are to be felled, however it is clear from any inspection and previous extensions already granted to West Lodge that mature trees are located in the proposed location of the new building.
- The path should not be used for the transportation of materials or for use of a car.
- The residents of West Lodge have access only along this path to their garage which has not been used for a very long time.

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
 H8 Residential Extensions
 H9 Side Space
 H10 Areas of Special Residential Character
 NE7 Development and Trees

Draft Plan

The Council is preparing a Local Plan. The submission of the Draft Local Plan was made to Secretary of State on 11th August 2017. These documents are a material consideration. The weight attached to the draft policies increases as the Local Plan process advances.

Draft Policy 4 - Housing Design
 Draft Policy 7 - Accommodation for Family Members
 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
 Draft Policy 73 - Development and Trees

London Plan 2015:

3.5 Design and Quality of Housing Developments
 7.4 Local Character
 7.6 Architecture

Planning History

Under planning application ref: 04/01545/FULL6 planning permission was granted for a two storey rear, first floor side/rear, single storey rear, 2 front dormers, pitched roof over existing single storey side extension and side roof extensions.

Under planning application ref: 03/03426/FULL6 planning permission was granted for part one/two storey/first floor rear extension, single storey side extension and 2 front dormer extensions.

Under planning application ref: 87/02525/FULL6 planning permission was granted for a front porch.

Under planning application ref: 86/03447/FULL6 planning permission was granted for a single storey rear and side extension and dormer extensions at rear of detached house.

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.

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 H8 paragraph 4.47 states 'Problems can arise (with proposed annexe's) where this type of development constitutes self-contained unit which could potentially be severed from the main dwelling. This can result in the creation of a sub-standard accommodation with inadequate privacy, access provision, parking and amenity space. Such accommodation is likely to be out of scale and character with the surrounding area and detrimental to neighbouring amenity. Therefore such extensions should be designed to form an integral part of the main dwelling'.

Draft Policy 9 of the Proposed Draft Local Plan (Accommodation for Family Members) states that:-

An extension to provide space for additional family members will be expected to meet the following criteria:

- a) the extension cannot be severed from the main dwellinghouse, and
- b) is in keeping with the design and scale of the existing dwellinghouse, and
- c) access to the extension is provided and maintained through the original dwellinghouse.

The application proposes a single storey annex at the bottom of the existing garden to facilitate annexed accommodation to the house with a separate bathroom, two bedrooms, reading room, living area, cupboard and hallway. The

annexe will be entered into on the east elevation. No kitchen is proposed but it could be assumed that the reading room could be converted to be used as a kitchen.

In terms of design, the annex is a contemporary design with a pitched roof profile set 19m from the back of the West Lodge. The annex will be located behind an existing row of the trees and be 1.9m from the boundary of Tudor Manor (neighbouring property) and 1.6m from the access path that lies to the left hand side of the site. The upper height of the annex will only be viewed from the south and west elevations, above the height of the existing fence (approximately 2m).

The annex will be timber clad and contain upvc windows and doors in all four elevations. The annex will occupy an area of the garden in front of the rear garage and occupies a footprint (approximately 78m²) which extends for the majority of the width of the rear garden. An existing rear/side gate is already in existence which provides access to the path and rear garage. The annex will be large but will not be seen from the neighbouring property because of the existing mature vegetation on either side of the site. The rear of the site is also screened by mature vegetation but will be seen from people utilising the adjacent pathway. Parking will be to the front of the existing property and there is to be no separate parking area for the annexed accommodation.

The extension is located approximately 2m from ether boundary. The location of mature vegetation mitigates the views of the annex, which will only be seen from the adjacent pathway and therefore does not harm the character of the Area of Special Residential Character.

The access to the annexe will be from the main dwellinghouse and via the existing rear/side gate which leads to the adjacent pathway as confirmed by the applicant via email on the 8th September. The applicant also confirms that the all services will run from the main house. In response to a neighbour objection that the applicant was seeking to purchase the sole use of the access path the applicant confirms that they have no intention of restricting access to the path to residents of Barry Court, Clive Court or Jeanette Court or The Old House by either construction of the proposed annex or by a future application to restrict the use. The applicant has indicated that the proposal would be used as accommodation for his family.

The annex is located at the rear most section of the garden and would essentially form a self-contained family annex , which features all of the requirements for self-contained living accommodation; two bedrooms, bathroom, reading room and lounge and is completely dependent of the main dwelling. Furthermore the size and location of the proposed annexe has not been designed to form an integral part of the main dwelling. Therefore, taking into account the policy outlined above and the siting and size of the proposed building, it is considered that the "granny-annexe" in the manner proposed as a detached building has the potential to be severed to form a separate residential property to be used for a family of three.

The annex is considered an overdevelopment of the property's curtilage and could be used as a self-contained unit, given it has its own side/rear access which could be potentially severed from the main property. The applicant has verbally stated he

is happy to accept a condition ensuring that the annex will be occupied by his son and will at no time be severed to form a self-contained form of residential accommodation, however, the annex will be occupied by more than one person and can be independently accessed, which is contrary to Policy H8 of the Bromley UDP (2006) and Draft Policy 9 of the Draft UDP (submitted 11th August 2017).

RECOMMENDATION: APPLICATION BE REFUSED

The reasons for refusal are:

The proposal, by reason of its siting and use, is not considered to represent an ancillary form of accommodation to the main dwelling and is capable of being severed and used as a separate dwellinghouse which would result in a cramped form of development, out of character with the area and contrary to policies BE1 and H8 of the Unitary Development Plan (2006) and Draft Policy 9 of the Draft UDP (submitted 11th August 2017).