

Section '4' - Applications recommended for REFUSAL or DISAPPROVAL OF DETAILS

Application No : 17/05232/FULL1

Ward:
Copers Cope

Address : 57 Park Road Beckenham BR3 1QG

OS Grid Ref: E: 537160 N: 170170

Applicant : Mr C J Jack and Ms S A Sfakianos

Objections : YES

Description of Development:

Demolition of existing dwelling and erection of a part two/part three storey four bedroom detached house.

Key designations:

Smoke Control SCA 12

Proposal

The proposal is for the demolition of the existing house and erection of a replacement part two/part three storey detached four bedroom house. The proposed house will have a modern design with a flat roof and two storey projecting section at the rear. The existing vehicle access and parking arrangements at the front of the house will be retained.

The proposed dwelling will have a footprint of 17.7m in length and 10.4m in width. The roof will be flat with a total height of 10.1m (existing house height is 8.3m).

Location and Key Constraints

The site is located on the southern side of Park Road and currently comprises of a two storey detached residential house. The wider area is characterised by a mix of similar residential development and flatted development, including Harvest Court immediately to the west.

Comments from Residents and Local Groups

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

Objections:

- Loss of light and overshadowing
- Loss of privacy and overlooking
- Excessive, oppressive and overbearing form of development
- Excessive bulk, massing and rear projection beyond the rear walls of neighbouring properties
- Precedent set for other similar development in the area and future severance into flats
- Out of character with the surrounding area
- Increase in modern design will impact on the traditional character of the area
- Impact on protected trees at the site
- Excessive car parking at the front of the site would be harmful to local character
- Noise and general disturbance

Comments from Consultees

Highways: Park Road is subject to both at any time and part time waiting restrictions with shared use parking bays. The PTAL rating for the site is 3 (moderate) where car ownership could be expected to be associated with occupiers of the property. The proposal is for a 4/5 bed dwelling. The Council's parking standard is for a minimum of 1.0 space. The existing drive would be enlarged to create at least 2 off-street parking spaces. Cycle parking would be provided. There are no objections from the highway point of view.

Environmental Health (Pollution): no objections raised.

Drainage: no objections raised subject to standard conditions.

Arboricultural Officer: No comments made

Policy Context

Section 70(2) of the Town and Country Planning Act 1990 (as amended) sets out that in considering and determining applications for planning permission the local planning authority must have regard to:-

- (a) the provisions of the development plan, so far as material to the application,
- (b) any local finance considerations, so far as material to the application, and
- (c) any other material considerations.

Section 38 (6) of the Planning and Compulsory Purchase Act (2004) makes it clear that any determination under the planning acts must be made in accordance with the development plan unless material considerations indicate otherwise.

According to paragraph 216 of the NPPF decision makers can also give weight to relevant policies in emerging plans according to:

- The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- The degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF, the greater the weight that may be given).

The Council is preparing a Local Plan. The submission of the Draft Local Plan was subject to an Examination In Public which commenced on 4th December 2017 and the Inspector's report is awaited. These documents are a material consideration. The weight attached to the draft policies increases as the Local Plan process advances.

The development plan for Bromley comprises the Bromley UDP (July 2006), the London Plan (March 2016) and the Emerging Local Plan (2016). The NPPF does not change the legal status of the development plan.

London Plan Policies

- 3.3 Increasing Housing Supply
- 3.4 Optimising Housing Potential
- 3.5 Design and Quality of Housing Developments
- 3.8 Housing Choice
- 5.1 Climate Change
- 5.2 Minimising Carbon Dioxide Emissions
- 5.3 Sustainable Design and Construction
- 6.9 Cycling
- 6.13 Parking
- 7.4 Local Character
- 7.6 Architecture

Unitary Development Plan

- BE1 Design of Development
- H1 Housing Supply
- H7 Housing Density and Design
- H9 Side Space
- T1 Transport Demand
- T2 Assessment of Transport Effects
- T3 Parking
- T7 Cyclists
- T18 Road Safety
- NE7 Development and Trees

Emerging Local Plan

- Draft Policy 1 - Housing Supply
- Draft Policy 4 - Housing Design
- Draft Policy 8 - Side Space

Draft Policy 30 - Parking
Draft Policy 32 - Highways Safety
Draft Policy 37 - General Design of Development
Draft Policy 73 - Development and Trees
Draft Policy 116 - Sustainable Urban Drainage Systems (SUDS)
Draft Policy 123 - Sustainable Design and Construction

Other Guidance

Housing: Supplementary Planning Guidance. (March 2016)

Technical Housing Standards - Nationally Described Space Standard (March 2015)

Supplementary Planning Guidance 1 - General Design Principles

Supplementary Planning Guidance 2 - Residential Design Guidance

Planning History

There is no recent and relevant planning history at the site.

Considerations

The main issues relating to the proposal are:

- the effect that it would have on the character of the area
- the impact that it would have on the amenities of the occupants of surrounding residential properties
- the impact on highway safety
- the standard of accommodation provided for future occupants

Design and Impact on the Character of the Area

Housing is a priority use for all London Boroughs. Policy 3.3 Increasing Housing Supply, Policy 3.4 Optimising Housing Potential and Policy 3.8 Housing Choice in the London Plan (2015) generally encourage the provision of redevelopment in previously developed residential areas 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.

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.

Policy BE1 of the UDP requires new buildings to complement the scale, form, layout and materials of adjacent buildings and areas, and seeks to protect the amenities of neighbouring properties. Policy H7 requires the design of new

residential development to be of a high quality and to recognise as well as complement the qualities of the surrounding areas.

The proposal seeks to replace the existing dwelling with a three storey modern dwelling with flat roof. The dwelling will have a part three storey appearance, however the architectural design has been articulated in order for the bulk to increase from east to west in order to create a gradual increase in height from No. 55 to Harvest Court, with the upper floor set away from the lower building at No. 55.

The proposed replacement dwelling will not project significantly in front of the established building line and therefore will not appear intrusively within the street scene, however the dwelling will project significantly to the rear of both neighbouring buildings. At ground floor level the proposed rear projection will be 10.7m to the rear of No. 55 and 5.8m to the rear of Harvest Court. The ground floor element will have a flat roof of 4.0m in height. The overall massing of the building at first and second floor levels would not break the building line at the rear significantly however the ground floor massing, footprint and rear projection would overdevelop the site and compromise the character of the area by breaking the established rear building line significantly and eroding the existing garden area at the rear of the site.

It is considered that the proposed replacement building would be unacceptable for these reasons and would have a detrimental impact on the character of the area. The proposal is therefore considered to contravene Policies BE1 and H7 of the Unitary Development Plan and Policies 4 and 37 of the Draft Local Plan.

Impact on Neighbouring Residential Amenities

Policy BE1 of the UDP seeks to protect existing residential occupiers from inappropriate development. Issues to consider are the impact of a development proposal upon neighbouring properties by way of overshadowing, loss of light, overbearing impact, overlooking, loss of privacy and general noise and disturbance.

The proposed dwelling will include a single storey section that will project 10.7m to the rear of No. 55 and 5.8m to the rear of Harvest Court. The buildings on this side of Park Road are well separated from one another. However, the proposal would extend significantly to the rear of the neighbouring residential properties to an extent that would create a harmful and oppressive visual impact when viewed from rear windows of both neighbouring properties and would also compromise lighting, particularly to Harvest Court to the north west. These factors results in a relationship that is considered to be unacceptable.

At upper floor levels, the first floor rear section of the house will be set in from both flank boundaries and it is considered that this aspect of the design would not impact harmfully on the amenities of either neighbouring residential buildings. The proposed first floor balcony is not considered to create a significant degree of overlooking or loss of privacy due to its size and location. The flanks of the balcony

will have a privacy screen installed and this can be conditioned accordingly to prevent views to the sides into neighbouring houses and gardens.

On balance it is considered that the proposal would impact detrimentally on the amenities of neighbouring occupiers and is considered to contravene Policy BE1 of the Unitary Development Plan and Policy 37 of the Draft Local Plan.

Parking and Highway Safety

Park Road is subject to both at any time and part time waiting restrictions with shared use parking bays. The PTAL rating for the site is 3 (moderate) where car ownership could be expected to be associated with occupiers of the property. The proposal is for a 4/5 bed dwelling. The Council's parking standard is for a minimum of 1.0 space. The existing drive would be enlarged to create at least 2 off-street parking spaces. Cycle parking would be provided. There are no objections from the highway point of view.

Sustainability

The NPPF requires Local Planning Authorities to adopt proactive strategies to mitigate and adapt to climate change. London Plan and Draft Local Plan Policies advocate the need for sustainable development. All new development should address climate change and reduce carbon emissions.

Policy 5.3 Sustainable Design and Construction of the London Plan states that the highest standards of sustainable design and construction should be achieved in London to improve the environmental performance of new developments and to adapt to the effects of climate change over their lifetime. Policy 5.2 Minimising Carbon Dioxide Emissions of the London Plan states that development should make the fullest contribution to minimising carbon dioxide emissions in accordance with the hierarchy; Be Lean: use less energy; Be clean: supply energy efficiently and Be green: use renewable energy.

CIL

The Mayor of London's CIL is a material consideration. CIL is payable on this application and the applicant has completed the relevant form.

Conclusion

Having had regard to the above it was considered that the proposal is unacceptable in that it would result in a significant loss of amenity to local residents and would impact detrimentally on the character of the area.

Background papers referred to during production of this report comprise all correspondence on the files set out in the Planning History section above, excluding exempt information.

RECOMMENDATION: REFUSAL

Grounds of refusal as follows:

- 1 The proposed development, by reason of its excessive footprint, massing and projection beyond the established rear building line, would result in an overdevelopment of the site and a detrimental impact on the character and appearance of this part of Park Road, contrary to Policies BE1 and H7 of the Unitary Development Plan and Policies 6 and 37 of the Draft Local Plan.**

- 2 The proposed development, by reason of its siting and excessive scale and massing, would result in a detrimental impact on the amenities of neighbouring residential properties by way of harmful visual impact and loss of light, thereby contrary to Policies BE1 and H7 of the Unitary Development Plan and Policies 6 and 37 of the Draft Local Plan.**