

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

Application No : 17/05737/FULL6

Ward:
Kelsey And Eden Park

Address : 48 Wickham Road Beckenham BR3 6LT

OS Grid Ref: E: 537825 N: 169138

Applicant : Mr John Evans

Objections : YES

Description of Development:

Two storey side extension, roof alterations to front and elevational alterations
PART RETROSPECTIVE

Key designations:

Smoke Control SCA 18

Proposal

Part retrospective planning permission is sought for a two storey side extension, roof alterations to front and elevational alterations (revision to application ref:- 15/01053/FULL6).

The application is accompanied by a Planning Statement.

Location and Key Constraints

The application site is a two storey detached property located on Wickham Rd, on the corner with Brograve Gardens, Beckenham.

Comments from Local Residents and Groups

Objections

- No evidence has been submitted to support an elderly family member. The layout appears entirely unsuitable to the needs of an elderly and unwell person.
- The rear access would be uncharacteristic form of access which would be out of keeping with the surroundings. The proposed rear access is incongruous with the streetscene.
- The proposed layout and access arrangements would harm the amenity of the occupants in 48 Wickham Rd through loss of privacy, overlooking and disturbance.

- It is evident the applicant proposes the extension to be separate dwelling. The proposed development does not provide a reasonable standard of private amenity space. Rear entrance door already has a letterbox installed. A garden fence is already installed to divide rear garden into two. A high wall has been built with space for a car entrance. New plans omit any reference to the loft conversion nor do they show the staircase from the first floor to the loft.
- The applicant has not shown there is a second kitchen, mislabelled that the utility room is in fact a second kitchen.

Comments from Consultees

No comments required

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:

- o The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- o 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
- o The degree of consistency of the relevant policies in the emerging plan to the policies.

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.

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

London Plan Policies

7.4 Local character

7.6 Architecture

Unitary Development Plan

BE1 Design of New Development

BE7 Railings, boundary walls and other means of enclosure

H7 Housing Density and Design

H8 Residential Extensions

H9 Side Space

Draft Local Plan

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

Supplementary Planning Guidance

SPG1 - General Design Principles

SPG2 - Residential Design Guidance

Planning History

Under planning application ref:- 15/01053/AMD a non-material amendment application was refused for various external and internal changes to the property including:-

- Roof in garage changed to existing
- Roof lights added at the rear
- Stairs added to the rear of the new two storey extension
- Ground floor kitchen increased
- First floor proposed change of hallway to existing
- First floor bathroom in existing bedroom changed to en-suite.

Under planning application ref:- 15/01053/FULL6 planning permission was granted for a two storey side extension and roof alterations to the front.

Considerations

The main issues to be considered in respect of this application are:

- Resubmission
- Design
- Neighbouring amenity

Resubmission

Following planning permission for a two storey side extension (application ref:- 15/01053/FULL6) and refusal of a non-material amendment application (application ref:- 15/01053/AMD) the current application seeks to make various internal and external changes to the original application. The changes include:-

- Roof in garage changed to existing
- Roof lights added at the rear
- Internal staircase added to the rear of the new two storey extension
- Ground floor kitchen increased in size
- First floor proposed change of hallway to existing
- First floor bathroom in existing bedroom changed to en-suite.

Design

Design is a key consideration in the planning process. Good design is an important aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. The NPPF states that it is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes.

London Plan and UDP policies further reinforce the principles of the NPPF setting out a clear rationale for high quality design.

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 original application proposed a two storey side extension to facilitate a living room and kitchen and on the ground floor, with internal reconfiguration and two new bedrooms on the first floor with an en-suite to the third bedroom. The side extension was connected to the main house through two doors on the ground floor and a hallway opening on the first floor.

A planning statement has been submitted alongside the current application. The statement sets out that prior to the completion of the side extension family circumstances of the applicant have changed which in turn required alterations to the property to allow for the applicant's father to live in the side extension of the property.

The submitted drawings show a change to the approved layout with an enlarged kitchen on the ground floor, additional staircase, WC added and a smaller living room within the extension. Only one connecting door is now shown on the ground floor from the living room through to the family room. On the first floor bedroom 4 has been reduced in size and reconfigured to allow for the staircase. Bedroom 5 has been reduced in size and the ensuite has been changed to a bathroom with an enlarged hallway. The first floor no longer has an opening through to the main house.

Access to the property can be from two locations; the front door of the main dwellinghouse and from the back door of the side extension (which also contains a separate letterbox). It is considered that the two storey side extension to form a "granny-annexe" in the manner proposed has the potential to be severed to form a separate residential property which may not be used by a family member, in particular given the property could not be accessed from first floor level. Furthermore, the ground floor is only connected by one internal door on the ground floor and concern is raised that this could be blocked off quite easily to make the side extension completely self-contained. The current application also proposes a second staircase and two bedrooms on the first floor which have been reduced in size and now show a bathroom as opposed to an ensuite. The layout is questionable as to whether it is to facilitate an elderly family member in ill-health if they cannot be reached via the first floor at night.

The Council has the potential to attach a condition ensuring that the side extension will be occupied by a family member only and will at no time be severed to form a self-contained form of residential accommodation, however, the current layout shows that the side extension could be readily severed and occupied by more than

one person particularly in view that it can be independently accessed from the rear, which is contrary to Policy H8 of the Bromley UDP (2006) and Policy 9 of the Draft UDP. It is considered that such a condition would be potentially difficult to enforce and therefore would not meet the tests for conditions.

Within the main dwellinghouse changes are also shown to the first floor. An additional bedroom is now shown with ensuite and a bathroom in place of an ensuite to bedroom 4 and an office. The changes at first floor level within the main dwellinghouse are considered acceptable.

The application also proposes two external changes to the fabric of the building. The first external change is to the garage roof. The design change from that of a hipped roof to a flat one will mirror the existing garage roof design. The other change is the insertion of two rooflights to the rear roofslope within the newly built two storey extension. The design of the garage has been reverted back to that of the existing garage and will have a flat roof design as opposed to being hipped. This change is considered acceptable. The insertion of two rooflights is also considered acceptable. It is not considered that the rooflights will cause any overlooking or a loss of privacy to neighbours.

Neighbouring amenity

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.

Several letters of objection have been received from neighbouring residents. The main concerns come from the potential severance of the dwellinghouse and the implications this could have. These concerns have been assessed in the section above.

Conclusion

Having had regard to the above it is considered that the development in the manner proposed is unacceptable as it would result in the potential severance of the property, contrary to Policy H8 of the UDP.

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: APPLICATION BE REFUSED

The reasons for refusal are:

The proposed revisions to the original application have the potential for the two storey side extension to become 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.