

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

Application No : 18/03954/FULL1

Ward:
Copers Cope

Address : 57 Park Road, Beckenham BR3 1QG

OS Grid Ref: E: 537160 N: 170170

Applicant : Mr CJ Jack and Ms SA Sfakianos

Objections YES

Description of Development:

Demolition of existing dwelling and erection of a three storey four bedroom detached dwelling

Key designations:

Biggin Hill Safeguarding Area
London City Airport Safeguarding
Open Space Deficiency
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 pitched roof and part one/part 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 15.3m in length (16.7m previously refused) and 9.6m in width (10.4m previously refused). The roof will be pitched with a total height of 10.1m (10.5m previously refused). The existing dwelling has a height of 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:

- This revised application shows little reduction in the overall area in the overall area of the proposed building. The proposed dwelling is out of character with the surrounding detached houses in Park Road. Light to our main living room would be seriously reduced due to the height of the proposed new building. The light to our rear living room would be blocked by the height and the longer projection of the proposed house. Due to the proximity of the building line to Harvest Court, the proposed new development will overshadow and block the light to our balcony. Harvest Court will suffer a loss of privacy to its communal garden due to overshadowing and overlooking by the proposed new building
- Although the latest plans are a marginal improvement to those submitted earlier, they still do not address the major problem of loss of light and privacy.

As a resident of 3 Harvest Court (ground floor flat overlooking the rear garden) my quality of life would be significantly adversely effected. There would be a loss of light in my flat and overshadowing of the garden due to the size and placement of the proposed house. This would clearly result in a lack of my privacy.

- I am of reduced mobility and as such I spend a lot of time on my balcony/patio area and in my lounge. The detrimental impact of the proposed house would undoubtedly spoil my enjoyment of my home and garden.

The scale of the proposed house is completely out of character with other properties in the road.

- It is overbearing, oppressive and completely out of character, nor attempts to blend with existing architecture of the road.

How potentially one person's property, could take precedence over a flat (Harvest Court) community, significantly & adversely affecting quality of life, invading person's balcony privacy as well as loss of light, to our homes is beyond comprehension. A remote, rural setting would be more appropriate for such a build, rather than an urban area.

- The more recent plans are marginally smaller but still are an excessive footprint, massing and projects beyond the rear of building line of our property which is nearest to theirs. The light will still be impacted in the room at the rear of my flat, which I use daily. I also frequently use the balcony at the rear of my property which will be affected by the loss of light. Loss of

privacy - I will be overlooked by their 1st floor balcony which wraps round from front to side and this will also overlook our garden.

- Oppressive development not in keeping with the houses in Park Road. As with previous applications this is an excessive change, almost a similar size to previous applications with changes designed to appease planners and not to fit in with the neighbourhood. Why there is a requirement for three stories and a basement is beyond comprehension. This sort of property may be fine in the countryside where size and neighbourhood is not important but not in a suburban town. There are plenty of examples of properties in Park Road which have much better aesthetics with respect to the size of rooms/occupancy/available land space etc. something similar to those would be more acceptable for those living on the opposite side of the road and would be far more acceptable to those living adjacent. Another application for a monstrosity that will impact this lovely road adversely, and ensure repeated applications of something similar.
- The light will still be significantly impacted in our living room/balcony which is at the rear of the flat and overlooks the garden, which are parts of our accommodation which we use daily.

Loss of privacy in this area also seems inevitable as we will be overlooked by the proposed 1st floor balcony which will also overlook the garden.

- Details of the garden studio are not included on the plans.
- The front elevation is too wide and too high.
- The proposed design would enable it to be converted into two flats at a later stage - the thin edge of the wedge.
- Inaccuracies within the submitted plans
- Pending application at 53 Park Road Reference 18/04050 for Conversion of existing garage to habitable room, single storey side and rear and first floor rear extensions, roof alterations to form loft conversion to include gable end at front and roof lights and elevational alterations. This application should also be taken into account and be a consideration in any decision made.
- Either application would individually have a significant detrimental impact on number 55 which is in the middle of these potential 2 super large developments. In the event both were approved, the combined effect would be magnified greatly by the tunnel effect with a super large 3 storey dwelling on both sides totally enclosing number 55 creating a very harmful and oppressive environment.

Summary

- overshadowing in the garden due to the size and placement of the proposed new house
 - loss of privacy due to the overshadowing of the property on our garden
- the proposed house will create an oppressive and overbearing environment as it is very, very close to our flats and garden
- the scale of the property is completely out of character with other properties in the road
- massing and projection beyond the rear of the building
- excessive footprint
- detrimental impact on the amenities of neighbouring residential properties by way of harmful visual impact
- inaccuracies within the submitted plans
- a proposed garden studio would further overdevelop the site

Comments from Consultees

Highways Officer: The site is accessed via an existing arrangement leading to the front car parking area. Car parking- a minimum of two cars can be accommodated within the site's curtilage which is acceptable. Cycle parking- Non indicated 2 secure cycle parking spaces should be provided.

Drainage Officer: The submitted Design & Access Statement did not include the use of permeable paving in the car park and driveway areas nor the use of SUDS to attenuate for surface water run-off. Please impose D02 & D06.

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.

The National Planning Policy Framework was published on 24th July 2018. According to paragraph 48 of the NPPF decision takers can also give weight to relevant policies in emerging plans according to:

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

The Council is preparing a Local Plan. The submission of the Draft Local Plan was subject to Hearings from 4th December 2017 and the Inspectors 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

18/01360/FULL1 - Demolition of existing dwelling and erection of a three storey four bedroom detached dwelling – REFUSED

Grounds of refusal:

‘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.

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.’

17/05232/FULL1 - Demolition of existing dwelling and erection of a part two/part three storey four bedroom detached house. APPLICATION WITHDRAWN

In addition there is a pending application at 53 Park Road Reference 18/04050 for Conversion of existing garage to habitable room, single storey side and rear and

first floor rear extensions, roof alterations to form loft conversion to include gable end at front and roof lights and elevational alterations.

Considerations

The main issues relating to the proposal are:

- Resubmission
- Design
- Neighbouring amenity
- Highways
- Sustainability
- CIL

Resubmission

Following the refusal of application ref. 18/01360, the current proposal has been reduced in scale and massing. The roof height has been reduced from 10.5m to 10.1m and the width from 10.4m to 9.6m. At ground floor level, the rear projection has been reduced by between 1.8m and 3.7m, taking into account the stepped rear elevation. The design of the building has been altered however the dwelling's design continues to have a stepped height from east to west.

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.

Paragraph 124 of the NPPF (2018) states that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

Paragraph 127 of the NPPF (2018) requires Local Planning Authorities to ensure that developments will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; are visually attractive as a result of good architecture, layout and appropriate and effective landscaping and are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities). New development shall also establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit; optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and

future users and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

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

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 pitched roof and accommodation at second floor level. The dwelling will therefore 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. The dwelling will project to the rear of both neighbouring buildings. At ground floor level the proposed rear projection will be 4.9m to the rear of No. 55 (8.5m previously refused) and 2.0m to the rear of Harvest Court (3.6m previously refused). The ground floor element will have a flat roof of 3.5m in height. The overall massing of the building at first and second floor levels would not break the building line at the rear significantly and the reductions made to the footprint of the house, including a reduction in width, would not overdevelop the site or compromise the character of the area. The rear building line will not be substantially broken, particularly when considered the stepping back of the rear building line of Harvest Court. The design and siting will retain space around the building and will not erode the existing garden area at the rear of the site.

It is considered that the proposed replacement building would be acceptable for these reasons and would not have a detrimental impact on the character of the area. The proposal is therefore considered to comply with Policies BE1 and H7 of the Unitary Development Plan and Policies 4 and 37 of the Draft Local Plan.

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.

The proposed dwelling will include a single storey section that will project 4.9m to the rear of No. 55 and 2.0m to the rear of Harvest Court. The buildings on this side

of Park Road are well separated from one another and whilst the proposal would extend significantly to the rear of the neighbouring residential property at No. 55, the low flat roof and reduced width creates a separation of 5.0m, to the nearest ground floor window at No. 55. The relationship is considered to be significantly improved from the previous application and the reductions in bulk and footprint are such that the extent of the impact on both No. 55 and Harvest Court would not be significantly harmful or oppressive

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.

On balance it is considered that the proposal would not impact detrimentally on the amenities of neighbouring occupiers and is considered to comply with Policy BE1 of the Unitary Development Plan and Policy 37 of the Draft Local Plan.

Parking and Highway Safety

The NPPF recognises that transport policies have an important role to play in facilitating sustainable development but also in contributing to wider sustainability and health objectives. The NPPF clearly states that transport issues should be considered from the earliest stage of both plan making and when formulating development proposals and development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

The NPPF states that all developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed

London Plan and UDP Policies encourage sustainable transport modes whilst recognising the need for appropriate parking provision. Car parking standards within the London Plan, UDP and emerging draft Local Plan should be used as a basis for assessment.

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. 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 not completed the relevant form.

Conclusion

Having had regard to the above it was considered that the proposal is acceptable in that it would not result in a significant loss of amenity to local residents and would not impact detrimentally on the character of the area. No impact on highway safety would result.

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: 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: To comply with Section 91, Town and Country Planning Act 1990.

- 2 (a) Prior to commencement of above ground works, details (including samples) of the materials to be used for the external surfaces of the building which shall include 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.**

(b) The works 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.

3 (a) Prior to commencement of above ground works, details of the windows (including rooflights and dormers where appropriate) including their materials, method of opening and drawings showing sections through mullions, transoms and glazing bars and sills, arches, lintels and reveals (including dimension of any recess) shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced.

(b) The windows shall be installed 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 (a) Prior to commencement of the development hereby approved (excluding any ground clearance or demolition) a scheme for the provision of surface water drainage shall be submitted and approved in writing by the local planning authority.

(b) Before the details required to satisfy Part (a) are submitted an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system (SuDS) to ground, watercourse or sewer in accordance with drainage hierarchy contained within the London Plan Policy 5.13 and the advice contained within the National SuDS Standards.

(c) Where a sustainable drainage scheme is to be provided, the submitted details shall:

i. provide information about the design storm period and intensity, the method employed to delay (attenuate) and control the rate of surface water discharged from the site as close to greenfield runoff rates (8l/s/ha) as reasonably practicable and the measures taken to prevent pollution of the receiving groundwater and/or surface water

(d) The drainage scheme approved under Parts a, b and c shall be implemented in full prior to first occupation of the development hereby approved

Reason: Details are required prior to the commencement of any new operational development in order to ensure that a satisfactory means of surface water drainage, to reduce the risk of flooding can be achieved before development intensifies on site and to comply with the Policy 5.13 of the London Plan.

5 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.

- 6 (a) 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 prior to construction of any above ground works**

(b) The arrangements as approved under part (a) 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.

- 7 (a) Details of arrangements for bicycle parking (including covered storage facilities where appropriate) shall be submitted to and approved in writing by the Local Planning Authority prior to construction of any above ground works**

(b) The arrangements as approved under part (a) 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 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.

- 8 (a) Surface water from private land shall not discharge on to the highway.**

(b) Prior to the commencement of development hereby approved (excluding demolition) 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.

(c) Before any part of the development hereby permitted is first occupied, the drainage system shall be completed in accordance with the details approved under Part (b) and shall be retained permanently thereafter.

Reason: To ensure satisfactory implementation of the surface water drainage proposals can be secured before additional pressure is placed on existing arrangements and to accord with to London Plan Policy 5.13 Sustainable Drainage.

- 9 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order amending, revoking and re-enacting this Order) no building, structure or alteration permitted by Class A, B, C, or E of Part 1 of Schedule 2 of the 2015 Order (as amended), shall be erected or made within the curtilage(s) of the**

dwelling(s) hereby permitted without the prior approval in writing of the Local Planning Authority.

Reason: In the interests of protecting the character of the area and residential amenity of neighbouring properties in accordance with Policy BE1 of the UDP.

- 10 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 UDP and in the interests of visual and residential amenity.

- 11 Prior to commencement of development (excluding demolition) details of the proposed slab levels of the building(s) and the existing site levels shall be submitted to and approved in writing by the Local Planning Authority . The development shall be completed strictly in accordance with the approved levels.**

Reason: Required prior to commencement in order to ensure that a satisfactory form of development can be undertaken on the site in the interest of visual amenity and to comply with Policy BE1 of the Unitary Development Plan.

You are further informed that :

- 1 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**