

Committee Date	4 th February 2021	
Address	59 Manor Way Beckenham BR3 3LN	
Application Number		Officer - Stephanie Gardiner
Ward	Kelsey And Eden Park	
Proposal	Construction of 2 summerhouses to rear garden and replacement fence	
Applicant	Agent	
Mr Jonathan McCarthy		
59 Manor Way Beckenham BR3 3LN		
Reason for referral to committee	Call-In	Councillor call in Yes

RECOMMENDATION	Permission
-----------------------	------------

<p>KEY DESIGNATIONS</p> <p>Conservation Area: Manor Way Beckenham Biggin Hill Safeguarding Area London City Airport Safeguarding Sites of Interest for Nat. Conservation Smoke Control SCA 18 Urban Open Space</p>

Representation summary	<i>Neighbouring residents were consulted Site Notice displayed Press Advertisement</i>
-------------------------------	--

Total number of responses	1
Number in support	
Number of objections	1

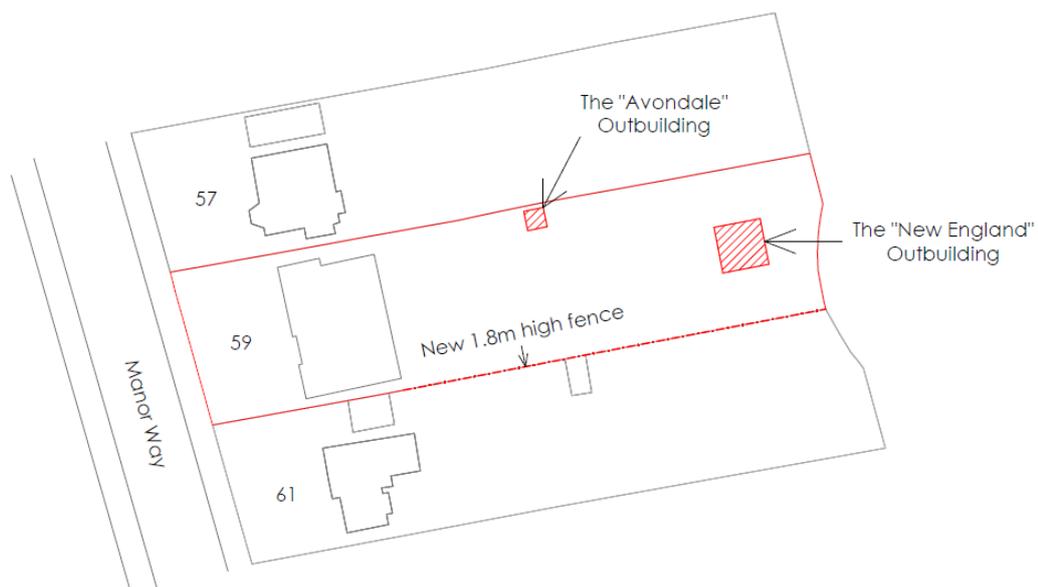
1. SUMMARY OF KEY REASONS FOR RECOMMENDATION

- The proposal is acceptable in design terms and would preserve the character and appearance of the Manor Way Conservation Area.
- The impact on neighbouring amenities is acceptable.

2. LOCATION

2.1 The application relates to a two-storey detached dwelling, which is located on the east side of Manor Way. It is set back from the road and benefits from off-street parking and verdant front garden. The property includes an external swimming pool at the rear. The land slope downwards gently downwards towards the rear of the site.

The property is located within the Manor Way Conservation Area. The rearmost section of the garden is located within Flood Zone 2 and the area to the rear of the site curtilage is Kelsey Park, which is designated as Urban Open Space and a Site of Nature Conservation Importance.



3. PROPOSAL

- 3.1 The application seeks planning permission for the construction of a two detached out buildings within the rear garden and a new 1.8m high timber fence along the southern boundary.
- 3.2 The larger 'New England' Summerhouse would measure c. 5.7m in width and 5.9m in depth, but this also includes an external, but covered area to the front. The

proposal would have pitched roof with height of 3.3m to the apex and 2.4m to the eaves.

- 3.3 The smaller 'Avondale' Summerhouse would measure c. 2.3m in width a depth. It would have a pitched roof with a height of 2.4m to the apex and 2.1m to the eaves.

4. RELEVANT PLANNING HISTORY

87/01258/FUL Part one/two storey side extension and front porch. Permission

87/03282/FUL First floor rear and two storey rear extension. Permission

88/00198/OTH First floor rear and two storey rear extension revision to 873282 increase of extensions at ground floor level with bays. Permission.

93/02248/FUL Single storey side/rear extension and retaining wall. Permission

93/02249/CON Demolition of existing garage and single storey rear extension. Permission.

94/00184/FUL Single storey side/rear extension. Refused

94/00709/FUL Single storey side/rear extension. Permission

17/04303/FULL6 - First floor side extension over existing garage, first floor bay window to rear elevation, Lantern lights to existing rear flat roof, alteration of doors to rear elevation. Permission

18/01004/FULL6 - The erection of an outdoor swimming pool & raised terrace. Permission

Subject to the following conditions:

5. 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 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.

6. Details of a scheme of landscaping which shall include additional tree planting along the boundary with neighbouring properties shall be submitted to and approved in writing prior to the use of the development hereby permitted. The approved scheme shall be implemented in the first planting season following the first occupation of the buildings or the substantial completion of the development, whichever is the sooner. Any trees or plants which within a period of 5 years from the substantial completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species to

those originally planted. Furthermore, all boundary treatments shall be maintained in perpetuity.

Reason: In order to comply with Policy BE1 of the Unitary Development Plan to secure a visually satisfactory setting for the development and to protect neighbouring amenity.

18/01004/CONDIT - Discharge of Conditions - in relation to planning application ref: 18/01004/FULL6: Condition 4 - Privacy Screening; Condition 5 - Landscaping Scheme. Acceptable

5. CONSULTATION SUMMARY

Statutory

5.1 Highways – No objection

Development is acceptable, however the 1.8m high fence may interfere with sightlines. Recommend a plan showing the position of fences in relation to the access point. No objections to the summerhouse.

5.2 Conservation Officer – No objections

This Conservation Area is a designated heritage asset under the NPPF definition, and this house is of neutral significance in the Conservation Area.

The overwhelming character of the Conservation Area will not be unduly harmed by this proposal and that the openness of this plot will not be harmed by this proposal.

The materials for both out buildings has been specified in the application form and will mainly comprise natural and traditional materials. It is recommended that instead of felt roofs, these out buildings should have simple timber shingle roofs in order to be compliant with the characteristics of the Conservation Area.

5.3 Trees No Objections

The replacement of the fencing is not objected to and would expect a degree of pruning to be required to install the fencing at a 2m height. This should be included in the application to avoid the need to submit a separate conservation area notice. To refuse the application on this point would be unreasonable. This information may be submitted under condition or prior to determination.

Condition PC05 may be appended to any forthcoming planning permission to ensure pruning details are submitted.

Adjoining Occupiers

Objection (Paragraphs 7.1 -7.12)

- Urbanisation of the garden.
- This application endeavours to undo or negate three of the conditions (4,5 and 6) imposed for the swimming pool, raised patio.
- Goes against Section 72 of the Planning (Listed Buildings and Conservation Area) Act 1990.
- Manor Way made a CA due to rural nature and large rear gardens. A large residential type summerhouse is unsuitable and not aware of any other gardens having such a building.
- Granted consent to concrete over part of the garden with a patio and swimming pool. This was on the basis that no other buildings were constructed without further consent being obtained. A building has already been constructed.
- Neighbouring amenity already impacted by the pool.
- Rear garden is about 57m long and 20m, already more than half the garden has been paved over. Summerhouses sited on grassed area, reducing green area further.
- Do not agree with the summerhouses but if minded to accept request a smaller summerhouse of timber construction. Smaller size will enable space to remain quiet, rural location, rather than a large office or for parties.
- No additional paving, concrete or hard surface
- No windows on either side to protect neighbouring privacy
- Lighting should not be allowed in either building to preserve rural setting
- Painting would not be appropriate or in-keeping with CA. Natural time would be more appropriate.
- Roof should be timber
- Vegetation of at least 1m high should be planted around buildings.
- Part of garden boundary is a party hedge. Most of the boundary is a picket fence paid for by neighbour about 20 years ago. This fence should be retained. All of the boundary has dense planting and some mature trees straddle the fence post.
- Understand the need for a fence to stop dogs going into neighbours.
- Consent for swimming pool on the condition that a scheme of landscaping and additional tree planting was carried out along the boundary.
- Fence needs inspection from both sides
- If accepted existing picket fence post must be retained. Should be sited 0.3m at least away from the existing fence line/
- All shrubs and trees preserved
- Precise line of the fence should be agreed with 61 and marked out before work commences.
- The 1.8m high fence should include trellis and posts in timber. Should not allow white vinyl.

6. POLICIES AND GUIDANCE

National Policy Framework 2019

NPPG

Bromley Local Plan 2019

Policy 6 Residential Extensions

Policy 37 General Design of Development

Policy 41 Conservation Areas

Policy 43 Trees in Conservation areas.

Bromley Supplementary Guidance

SPG No.1 - General Design Principles

SPG No.2 - Residential Design Guidance

Manor Way Conservation Area SPG

7. ASSESSMENT

Design – Acceptable

- 7.1 The application property is a detached residential dwelling, which is located on the east side of Manor Way. The property has a large rear garden, which is roughly 55m in depth and 20m in width. The garden is surrounded by a relatively dense layer of vegetation in the form of trees and shrubs. The property backs onto Kelsey Park. The surrounding area is also characterised by large detached properties, set within similar sized plots.
- 7.2 The Manor Way Conservation Area SPG highlights that ‘Manor Way consists of a series of highly individual detached properties, unified by their common age of construction (inter-war) and a common reference to neo vernacular design and materials. It represents a fine example of the way in which architects of the early twentieth century explored the house building traditions of many parts of Britain, in an attempt to synthesise a new architectural style.’
- 7.3 The SPG also highlights that landscape features are a characteristic feature of the CA and of importance are the views from it into open land, including Kelsey Park.
- 7.4 Members resolved to grant planning permission at Plans Sub Committee on the 31st May 2018 for a swimming pool with raised patio within the rear garden. This has now been constructed in full. It extends centrally into the garden, but a large area of open grass remains.
- 7.5 The proposal includes the erection of two detached summerhouses within the rear garden. The larger structure would be located towards the rear of the site but set centrally within the width of the garden. It would be c.7.5m from the rear boundary and 7m from the northern and southern boundaries of the site. It would also be set

back from the rear of main property by around 42m. The proposed 'Avondale' summerhouse would be located c. 20m from the rear of the property adjacent to the northern boundary of the site. The proposed structures would be of timber construction, with a painted white/green exterior and felt roof.

- 7.6 The proposed 1.8m high fence would be erected along the southern boundary with Number 61 Manor Way. This fence would be located at the rear only, starting at roughly the rear building line of the dwelling. The applicant has confirmed this will be of timber construction with a lattice detailed top.
- 7.7 The property does benefit from a relatively generous layer of vegetation surrounding the site boundary, which provides a good degree of screening. The summerhouses, in terms of their size, are not considered to be out of proportion with the size of the site in general. The garden is generous in terms of its width and depth and whilst there is already an existing swimming pool in place, there would continue to be a suitable amount of grass and open land to the rear of the property. The larger of the structures is set well within the site boundary and it is not considered that views into Kelsey Park would be compromised. From a heritage perspective no in-principle objections have been raised by the Council's Conservation officer, who is of the view that the development would not unduly harm the character of the CA or openness of the plot. The use of natural timber is considered appropriate. The CA officer has recommended the use that a simple timber shingle roof should be utilised instead of a felt roof, however when having regard to the scale of the buildings, location of the development, size of the plot and vegetation surrounding the site the use of felt would not be significantly harmful and would be acceptable in this context.
- 7.8 In this case, permitted development rights for the erection of a detached outbuilding have been restricted by a condition attached to Planning Permission 18/01004/FULL6 for the swimming pool, without the agreement of the Local Planning Authority. This was in order to ensure that a further assessment could be made about the impact of any future structure on the character of the area and neighbouring amenities. However generally, outbuildings can be erected under permitted development in Conservation Areas and they are not an unusual form of development. A condition could be imposed to ensure the structures remain incidental to the main dwelling in terms of their usage, which would continue to protect the residential character of the site and area in general.
- 7.9 The height of the proposed fence at 1.8m is acceptable and a fence could potentially be erected under permitted development along the boundary. However, in this case an application for full planning permission has been made. The use of timber is an appropriate traditional material. From a heritage perspective no in-principle objections have been raised and its scale and height are also an acceptable form of development in respect of the character and appearance of the CA. It would be contained to the rear and would not therefore influence vehicular sightlines as noted by the Highways officer. Neighbouring residents have raised concerns about the impact on the vegetation and trees along the southern boundary. No trees have been identified as requiring to be removed as a result of development and they are protected by virtue of the Conservation Area designation. From an Arboricultural perspective pruning works to facilitate the fence and posts would likely be required, but no in-principle objections have been raised by the Council's Tree Officer, who

has recommended a pre-commencement Pruning condition, which considering the CA designation is considered to be reasonable. The removal or damage to party hedges or an existing picket fence would be a civil legal matter between the interested parties. However, it is noted that a landscaping scheme, with new boundary planting was approved under ref: 18/01004/CONDIT. This relates to a condition attached to Planning permission ref: 18/01004/FULL6 for the swimming pool and terrace. This condition required the submission of a scheme of proposed landscaping, including additional planting along the boundary of the site, particularly adjacent to 61 Manor Way. These conditions requires that any of the proposed planting 'which within a period of years from the substantial date of completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of a similar size and species to those originally planted.' Therefore, the planting proposed and installed under that condition is still considered to be protected.

Neighbouring Amenity – Acceptable

- 7.10 The summerhouses are set back considerably from the neighbouring dwellings. The 'Avondale' building would be set along the northern boundary with Number 57, however its size and height are modest. Its location would not be visually intrusive or dominant in appearance, and there would be no loss of light or unacceptable overshadowing, particularly when having regard to the scale of the structure, size of the rear gardens and position in relation to the neighbouring buildings. When having regard to its location, there would be no impact on the visual or residential amenities of Number 61. Similarly, when having regard to its scale, size of the gardens and position there would be no loss of privacy or overlooking.
- 7.11 The larger 'New England' summerhouse would be around 42m from the rear of the application property and around 44m to the rear of Number 61 Manor Way. It would also be set back from the boundary with Number 61 Manor Way by c.7m. Again, when having regard to the size of the structure, degree of separation, size of the gardens and orientation, it is not considered that the proposal would be unacceptably overbearing or visually intrusive. There would be no loss of light or unacceptable overshadowing. In addition, when taking into account the degree of separation to neighbouring gardens and properties, together with the design/height of the structure - which is at ground level within an existing residential garden - it is not considered that there would be an unacceptable loss of privacy. A condition can be imposed to ensure that the use remains incidental to main dwelling and generally, it is not considered they would result in unacceptable harm in respect of noise and disturbance.
- 7.12 The new fence would extend along the southern boundary of the site with Number 61. However, its height is not considered to be over dominant or visually intrusive, particularly when having regard to the generous size of the gardens. In addition, the site characteristics, orientation of the gardens and size of the development would not result in an unacceptable loss of light or overshadowing.

8. CONCLUSION

- 8.1** Having regard to the above, the summerhouses and fence are considered to be acceptable in design terms and would preserve the character and appearance of the Conservation Area. The impact on neighbouring amenities and trees is also considered to be acceptable.
- 8.2** 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 Permitted

SUMMARY OF CONDITIONS AND INFORMATIVES

Standard Condition(s)

- 1. Time limit of 3 years**
- 2. Drawing number**

Prior to Commencement

- 3. Tree/Root Pruning**

Compliance Conditions

- 4. Materials**
- 5. Restriction of use for the summerhouses.**

Any other planning condition(s) considered necessary by the Assistant Director of Planning