

<b>Committee Date</b>	05.08.2021	
<b>Address</b>	103 Foxgrove Road Beckenham BR3 5DA	
<b>Application Number</b>	21/01090/FULL6	<b>Officer</b> - Susanna Stevenson
<b>Ward</b>	Copers Cope	
<b>Proposal</b>	Demolition of existing side conservatory and erection of two storey side extension and single storey rear extension. New double height garage with office at first floor. REVISED DRAWINGS RECEIVED 09/06/21	
<b>Applicant</b>	<b>Agent</b>	
Bew	Tara de Linde	
103 Foxgrove Road Beckenham BR3 5DA	The Gardeners Cottage Knole Sevenoaks TN15 0RP	
<b>Reason for referral to committee</b>	<b>Councillor call in</b>	
	Call-In	Yes

<b>RECOMMENDATION</b>	PERMISSION
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<p>KEY DESIGNATIONS</p> <p>Biggin Hill Safeguarding Area London City Airport Safeguarding Smoke Control SCA 12</p>
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Vehicle parking	Existing number of spaces	Total proposed including spaces retained	Difference in spaces (+ or -)
Standard car spaces	3	3	0

<b>Representation summary</b>	Neighbour letters issued –19.03.2021 Neighbour letters issued (revised plans) – 23.06.21		
Total number of responses	7		
Number in support	0		
Number of objections	7		

## 1. SUMMARY OF KEY REASONS FOR RECOMMENDATION

- The proposal would not have a significant impact on visual amenity
- There would be no significant impact on the residential amenities of neighbouring residents
- The Trees Officer has raised no objections to the proposals

## 2. LOCATION

2.1 The application site is set back from the Foxgrove Road frontage, behind the main line of dwellings fronting the street. Along with No. 101, the application site forms a pair with No. 103, both of which are accessed via a narrow private road leading from the main road.



103, Foxgrove Road, Beckenham



*Access drive between Nos. 89 and 105*



*Nos. 101 and 103 from access drive*

- 2.2 The host dwelling is wide and shallow, occupying a generously large residential plot which leads to the northern boundary of the site with Beckenham Place Park.
- 2.3 The surrounding area is residential in character, including a variety of dwelling types and ages.
- 2.4 The site does not lie within a designated conservation area and the host dwelling is not statutorily listed.

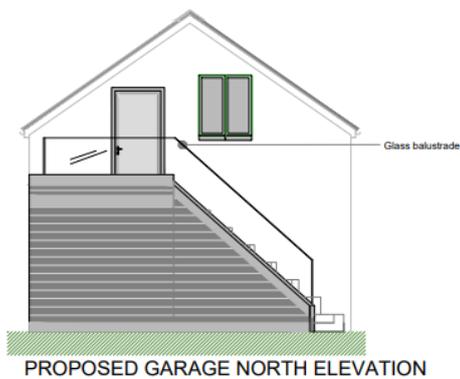
### **3. PROPOSAL**

- 3.1 The application proposes the erection of a detached outbuilding with a first floor office as well as extensions to the main host dwelling, to the side and rear, and incorporating a rear dormer roof extension.



*Existing and proposed block plans*

- 3.2 Erection of detached garage building with office above, broadly in the position of the existing single storey garage building. At ground floor the building would provide a triple bay garage. External stairs would lead to the first floor office space which would include rooflights to either roof slope and 2 no. narrow windows in the first floor southern gable. In the northern (access) elevation it is proposed to provide an entrance door and window. In the northern (access) elevation it is proposed to provide an entrance door and window.
- 3.3 The detached building would be approx. 4.2m high to eaves level, and 6.7m high to the ridge. It would be faced in fibre cement cladding, with a brick or white render band above, below eaves height. The roof would be faced with zinc.





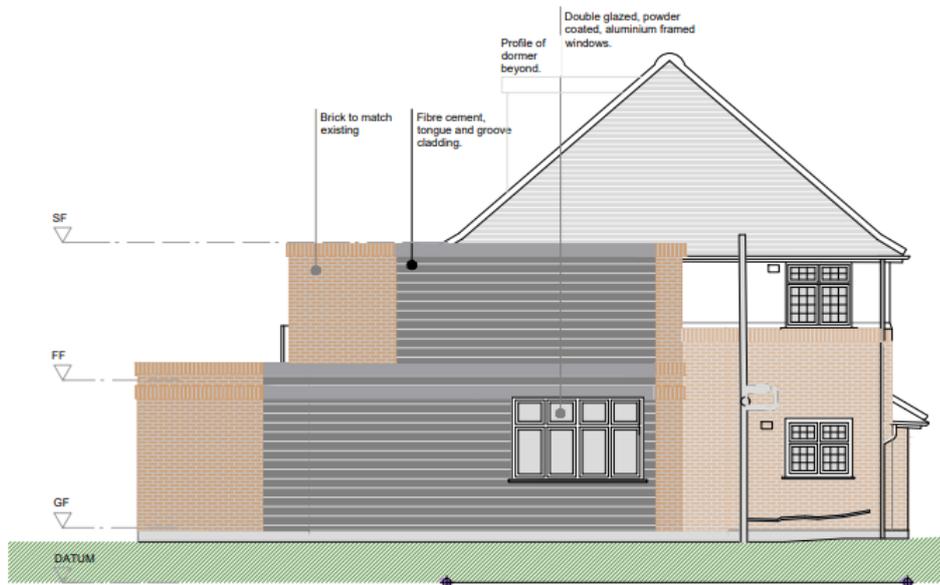
*Location of proposed garage/office outbuilding*

- 3.4 It is also proposed to enlarge the main host dwelling with extensions comprising a part one/two storey side/rear extension.
- 3.5 The two storey element would be sited between the main western flank wall of the dwelling (as existing) and the boundary of the application site with No. 101 Foxgrove Road. The extension would be set over two storeys to the side, with the front elevation of the extension set back from the main front elevation of the dwelling by approx. 3.9m. The extension would be 7.3m deep in total, projecting beyond and wrapping around the main existing rear corner on this side of the dwelling. A minimum of 1m side space would be retained to the angled side boundary, with the side space increasing towards the rear of the building. The western flank elevation incorporates a flank facing window which would serve an internal bootroom.



PROPOSED SOUTH ELEVATION

3.7 The first floor extension would have a flat roof and would be approx. 5.6m high. It would incorporate a Juliet balcony to the rear elevation (with no external projecting terrace or balcony as was originally proposed). Windows are proposed in the first floor rear elevation and within the eastern flank elevation. The eastern flank facing window would be positioned approx. 11m from the existing eastern flank elevation of the dwelling, with further separation to the eastern boundary of the site beyond.



PROPOSED WEST ELEVATION

3.8 At ground floor level it is proposed to provide an extension for the full width of the host dwelling (plus the addition to the side described above). The ground floor rear

projection beyond the main host dwelling would be 5.7m. The extension would incorporate patio doors within the rear elevation as well as wrapping around the eastern rear corner of the dwelling. The extension would have a flat roof which would be approx. 4.07m in height.



PROPOSED NORTH ELEVATION

3.9 The facing materials proposed comprise facing brick work to the front ground floor elevation with render to match the existing dwelling above. At the side, it is proposed to utilise a mixed palette of materials comprising brick vertical banding and facing brick with the middle of the extension faced in fibre cement tongue and groove cladding. The rear and eastern flank elevations would be faced in brick to match the existing brickwork.

3.10 It is proposed to construct a rear dormer extension which would be set lower than the ridgeline (by approx. 0.8m), and back from the eaves (approx. 0.51m). The dormer cheeks would be inset from the existing side hipped roofs. The dormer would have a flat roof and would be glazed within a substantial portion of the rear elevation, with render panel and cheeks.

#### 4. RELEVANT PLANNING HISTORY

4.1 Under reference 18/01487/FULL1 planning permission was refused for the erection of two storey five bedroom dwellinghouse with integral garage and associated access/hardstanding and amenity space.

4.2 Permission was refused on the ground:

“A dwelling of the scale proposed would be unsatisfactory upon this severance plot and by reason of its size, siting, design and means of access would constitute an

unacceptable form of tandem development which would be detrimental to the existing/future residential amenities of the area, out of character with the distinctive qualities of the immediately surrounding residential area with particular regard to the space about buildings and rear garden areas, and which would result in a loss of trees/planting , thereby contrary to Policies BE1, NE7 and H7 of the Unitary Development Plan, Policies 3, 4 and 73 of the draft Local Plan, Policies 3.5, 7.4 and 7.6 of the London Plan, the provisions of the NPPF and Supplementary Planning Guidance.”

4.3 A subsequent appeal against the refusal of planning permission was dismissed.

## **5. CONSULTATION SUMMARY**

### **A) Statutory**

- None

### **B) Local Groups**

- None

### **C) Adjoining Occupiers**

Visual amenity (addressed at 7.1)

- The change to a pitched roof from the flat roof previously proposed will make it more obtrusive
- The proposal is still inconsistent with the scale and materials of adjacent development
- Proposed height and siting would be out of character
- Overdevelopment of the site
- Precedent – neighbouring residents would feel compelled to submit similar proposals
- The existing garages in Evening Hill may be extended upward
- The proposed garage office building is more in keeping with a residential development than an ancillary building
- Ancillary building should be single storey – as is characteristic of the area
- Materials out of keeping with the locality
- No CGI image or artist’s impression provided
- Lack of side space to No. 101
- The height is almost 3 times that which could be constructed under permitted development within the rear garden

Neighbouring amenity (addressed at 7.2)

- Loss of privacy and outlook to No. 101
- As commercial office space the proposed office could provide accommodation for 12 people

- Unclear how the space will be used – if commercial then the office could provide accommodation for 12 people
- The proposed detached building will overlook the front garden of No, 18 Evening Hill and impact on amenities of Nos. 16 and 17 and the communal gardens
- Overshadowing

Trees (addressed at 7.3)

- Application form is inaccurate in that there are trees nearby
- Previous application included a tree survey and trees will be affected
- Impact on existing boundary vegetation

Other matters

- Proposal would need to be considered under the Party Wall Act
- Revised scheme would be a major variation

## **6. POLICIES AND GUIDANCE**

### **National Policy Framework 2021**

#### **The London Plan**

D3 Optimising site potential through the design-led approach

D4 Delivering Good Design

#### **Bromley Local Plan 2019**

6 Residential Extensions

8 Side Space

30 Parking

37 General Design of Development

73 Development and Trees

#### **Bromley Supplementary Guidance**

SPG1 – General Design Principles

SPG2 – Residential Design Guidance

## **7. ASSESSMENT**

### **7.1 Design – Layout, scale height and massing - Acceptable**

7.1.1 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.

- 7.1.2 London Plan and BLP policies further reinforce the principles of the NPPF setting out a clear rationale for high quality design.
- 7.1.3 Policies 6, 37 and 73 of the Bromley Local Plan (BLP) 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 including trees and landscaping that contribute towards the character and appearance of the area.
- 7.1.4 It is acknowledged that representations have been received from nearby residents expressing concern at the impact that the proposed extensions/detached building will have on the visual amenities and character of the area.
- 7.1.5 The proposed side extension would retain a minimum of 1m side space to the boundary with No. 101, with more generous side space provided towards the rear of the extension as a consequence of the angled position of the host dwelling in relation to the boundary.
- 7.1.6 While the proposed extensions would be flat roofed, and generally it would be preferable for extensions visible from the street to incorporate a pitched roof, the extension is set well back from the front elevation of the dwelling, and the dwelling itself is located in a secluded position. A generous side space between two storey/first floor development on either side of the boundary would be retained and the proposal would not result in unrelated terracing or a cramped appearance. The angle at which the host and neighbouring property are set in relation to each other, combined with the set back of the two storey extension from the main front elevation of the host dwelling, would limit the impact of the extension upon the appearance of the front elevation. The extension would not be disproportionate in context with this front elevation and would be readily interpreted as a subservient addition rather than dominating the appearance of the front of the house.
- 7.1.7 The two storey extension will be visible from the neighbouring dwelling at No. 101, but taking into account the scale, massing (including height and depth) and location of the extension in relation to the public realm it is not considered that this visibility equates to harm such that would warrant the refusal of planning permission in this instance. The use of contemporary materials within the flank elevation (tongue and groove cladding) would not be harmful to visual amenity and would serve to articulate/break up the appearance of the flank elevation. The projection to the rear is not significant in the context of the generosity of the application site and the proposed extensions to the side and rear would not be disproportionate in the context of the host dwelling. Generally materials will match the existing building, largely comprising brick and render, however it is noted that the colour and details of the cladding has not been provided and as such a condition requiring further details is suggested.

- 7.1.8 With regards to the proposed detached garage, it would be sited in place of an existing more modest structure, to the front/side of the host dwelling which is itself set back from the main road. The height and massing of the garage/office would be inherently greater than the building it would replace. However, due to its secluded siting and the design to incorporate a dual pitched roof it would not have a significant impact on the visual amenities of the area and would not result in disproportionate development out of context with the host application site and surroundings. The materials used would complement rather than match the materials of the existing building, representing a contemporary finish, but would not be significantly jarring in the context of the site's secluded location and the palette of materials utilised in the local vernacular. Again the specific materials proposed have not been provided and as such a condition requiring further details is suggested.
- 7.1.9 The proposed rear dormer would be of modest scale relative to the roof slope in which it would be positioned, with the structure confined within that roof slope, set in from the eaves and the ridgeline. The streamlined design of the extension to the roof, along with the ground and first floor development, would not overwhelm the main existing rear elevation of the host dwelling.
- 7.1.10 While it is noted that concern has been expressed regarding the pitched roof profile of the garage resulting in increased building height relative to the originally proposed flat roof, taking into account the massing and the eaves height proposed it is not considered that the visual impact would be worsened in contrast to the original submission.

## **7.2 Neighbourhood Amenity - Acceptable**

- 7.2.1 Policy 37 of the BLP 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.
- 7.2.2 With regards to the detached garage/office building it is noted that the current scheme revises the original submission which included residential annexe accommodation as well as a large elevated terrace. The current proposal is more modest and the relationship between the proposal and the host dwelling/site and neighbouring properties is as a consequence an improvement on the original submission.
- 7.2.3 The building is positioned approx. 28m from the rear elevation of No. 107 Foxgrove Road and while it would be sited close to the rear boundary of that property with the application site, along with the rear amenity associated with dwellings at Evening Hill, the separation to the boundary in tandem with the limited eaves height of the structure along with the existing vegetation on either side of the boundary would limit the impact of the proposal on the residential amenities of the neighbouring property at No. 107.

- 7.2.4 The revised massing would reduce the visual impact in contrast to the original scheme, in that the height to the apex of the pitched roof would fall away to eaves level rather than representing a flat roofed consistent bulk at first floor level. The design of the proposed roof would result in the building's height reducing adjacent to the flank boundary with the Evening Hill site (the en-bloc garaging and the substantially deep front garden and detached garage of No. 17).
- 7.2.5 The rear of the proposed building would be positioned adjacent to the garage and manoeuvring space associated with the Evening Hill block to the west, and would have no significant impact on the amenities of those properties at Nos. 1-16 at the front of the neighbouring site, nor upon the dwellings at Nos. 17 and 18 Evening Hill which are well separated from the proposed outbuilding. The proposal includes external steps on this northern elevation leading from the first floor office space to ground level, but taking into account the separation between this elevation and the front of the neighbouring house at No. 17 Evening Hill (which is set even further back from Foxgrove Road than the application host dwelling) it is not considered that the proposal would result in a significant loss of privacy or undue overlooking. In the revised drawings, the former large raised first floor terrace on this side of the building has been deleted. The steps would not provide the same opportunity for congregation/outside amenity space as the original submission's large raised terrace.
- 7.2.6 The proposal includes the provision of 2 flank first floor windows serving the office, within the southern elevation. If permission is granted it would not be unreasonable to impose a condition on the permission to require these to be obscure glazed.
- 7.2.7 There is quite dense existing vegetation along the southern boundary with the rear of 107 Foxgrove Road and the frontage development at Evening Hill. Concern has been expressed regarding the loss of greenery along the boundary. The proposed garage is not located immediately adjacent to the southern boundary, although it is noted that between the garage and the eastern boundary the plans indicate the provision of a pathway. There are no protected (TPO) trees on the application site and the fact that the existing screening within the application site could be removed without consent falls to be considered in the assessment of the impacts of the proposal. There is existing screening and vegetation within adjacent sites to the south, along the boundary and within the amenity space, and taking this into account along it is not considered that the refusal of planning permission on the basis of visual impact or loss of privacy would be warranted in this instance.



*Aerial view of garage location*

7.2.8 It is noted that concern has been expressed regarding the potential intensity of use of the office were it to be commercially used. On the basis of the application submission, the office is intended to be used for purposes incidental to the enjoyment of the dwellinghouse rather than as a separate commercial office. If planning permission is granted it would be appropriate to impose a condition requiring that the outbuilding be used in conjunction with the occupation of the host residential dwelling, so as to prevent its severance from the main residential site and to ensure it is used domestically rather than for commercial purposes.



*Side elevation of No. 103 from garages at Evening Hill*



*Front elevation of No. 17 Evening Hill*

7.2.9 With regards to the impact of the rear extensions to the dwelling, the application site is substantially deep and the front of No. 17 Evening Hill is at present separated by a distance of approx. 33.5m (with intervening mature landscaping) from the rear of the host dwelling. As a consequence it is not considered that the depth and scope of the rear extensions, including the rear dormer extension, would result in a significant loss of amenity, including privacy, to that property or its neighbour at No. 18.

7.2.10 The proposed extensions would be sited closer to the boundary with No. 101 (which lies to the east of the application dwelling) than the existing residential dwelling. However, the rear elevations of Nos. 101 and 103 are angled such that they face slightly away from each other. It is further noted that the main dwelling at No. 101 is separated from the boundary by a single storey garage structure which is then linked to the main dwelling by a glazed single storey side/rear extension.



*Nos. 101 and 103 Foxgrove Road*

7.2.11 Taking into account the orientation of the dwellings in relation to each other and the scale and massing of the development it is not considered that the proposal would result in a significant loss of amenity to the neighbouring dwelling or garden at No. 101.



*Rear elevation of No. 103 and boundary with No. 101*

### **7.3 Trees - Acceptable**

- 7.3.1 Comments were sought from the Trees Officer regarding the submission and the scope of the proposal. No objections are raised with regards to the application proposal.
- 7.3.2 The application site is generously sized and includes a variety of trees scattered through the site, along the boundaries and in particular at the rear of the substantially deep garden. The site boundaries are generally quite densely vegetated.
- 7.3.3 There are no TPO trees within the application site, and taking into account the scope of the application in relation to the size and verdancy of the site, it is not considered that the proposal would result in an unacceptable diminution of greenery and soft landscaping such that would warrant the refusal of planning permission.
- 7.3.4 It is noted that concerns have been expressed in response to neighbour notification relating to the information provided on the application form. Specifically, it is stated that the proposal would result in a loss of greenery adjacent to the boundaries, as well as trees to the rear.
- 7.3.5 The submitted drawings indicate the provision of a gravel pathway behind the proposed garage/office. There are no protected trees or vegetation along this

boundary, which lies adjacent to the en-bloc garaging at Evening Hill. Along the southern boundary the site lies adjacent to the end of the approx. 30m deep rear garden of No. 107 Foxgrove Road which is noted to be quite densely vegetated adjacent to the boundary.

- 7.3.6 It should be noted that the formation of patio/paving/decking as indicated to be provided between the main house and the detached outbuilding would not normally require planning permission, and that in the absence of protection afforded by TPO or conservation area designation, the removal of trees within the site would not require approval.



*Position of proposed outbuilding*

#### **7.4 Other matters**

- 7.4.1 It is noted that representations have referred to the need for a Party Wall Agreement. This would be a private legal matter outside of planning control and is not a material consideration in the assessment of the merits of the proposal.
- 7.4.2 Concern has also been expressed regarding the extent of the amendments/revisions to the original submission, with suggestion that these would constitute a major revision. The applicant has revised the proposals to increase the side space to the flank boundary with No. 101, to delete a first floor terrace at the rear (substituting a 'juliet' balcony) and reducing the roof bulk and massing of the detached outbuilding, as well as amending the internal layout/accommodation so as to not provide separate living accommodation.
- 7.4.3 The amendments have reduced the overall scope of the application and have been submitted in an attempt to address concerns raised with regards to the original application submission. Neighbouring residents were re-notified of the revised drawings and given the opportunity to comment, and the representations received are summarised within this report.
- 7.4.4 It has also been suggested that the proposals would set a precedent for other residential extensions of this scale within the locality. It is a fundamental principle that each case is considered on its merits in relation to the site context, planning constraints and the impacts of the development. As such, it is not considered that

the proposal would set a precedent for identical development elsewhere – should permission be sought in nearby sites, such applications will be assessed in relation to the site and surroundings in relation to relevant planning policies.

## **8. CONCLUSION**

- 8.1 It is considered that the proposals would not have a significant impact on the visual and residential amenities of the area.
- 8.2 There are no technical objections to the proposal from a highways or trees perspective.
- 8.3 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**

**Subject to the following conditions:**

- 1. Standard time limit**
- 2. Compliance with plans**
- 3. Details of materials to be submitted**
- 4. Restrict use of outbuilding garage/office**
- 5. Obscure glazing**

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

**Informatives:**

**CIL**