

SECTION '3' – Applications recommended for PERMISSION, APPROVAL or CONSENT

Application No : 10/03493/FULL6

**Ward:
Shortlands**

Address : 1 Malmaison Way Beckenham BR3 6SA

OS Grid Ref: E: 538242 N: 168252

Applicant : Mr & Mrs Felgate

Objections : YES

Description of Development:

First floor front/side extension, single storey front extension, single storey rear extensions and single storey side extension with accommodation in roofspace.

Key designations:

Conservation Area:

Biggin Hill Safeguarding Birds

Biggin Hill Safeguarding Area

London City Airport Safeguarding

Proposal

This proposal is for a first floor front/side extension, single storey front extension, single storey rear extensions and single storey side extension with accommodation in roofspace and rear dormer window.

The proposal is comprised of the following elements:

- A first floor side/front extension to the east of the property, the majority of which shall not extend to the side beyond an existing dormer window extension. The proposal will include a 1.1m extension to the front which shall be 2.9m in width.
- The property is proposed to be extended 1.75m to the front at a single storey level which will form an 'infill' development between the main dwellinghouse and the existing single storey garage.
- The property is also to be extended by 2.85m to the western side of the property at a single storey level which projects parallel to the site boundary and shall be 5.5m in width at the widest point and shall be 7.3m in length. Accommodation is to be provided in the roofspace above with a rooflight to be inserted in the front elevation and a dormer window is to be inserted in the rear elevation, the total height of the proposal is 5.2m and as such may be viewed as a two storey development.

- The existing garage is proposed to be extended 3m to the rear which shall connect to a 5m extension from the rear elevation of the main dwellinghouse and shall have a total width of 9.2m.
- An additional rear extension is also proposed which shall be 5m in width and shall project 1.1m beyond the existing conservatory extension.

Location

The property is located to the north of Malmains Way and is a detached two storey single family dwellinghouse located within the Park Langley Conservation Area. Park Langley is an Edwardian 'garden suburb' development with later low density housing set within a mature landscape.

Comments from Local Residents

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

- concerns there is a window planned overlooking 3 Malmains Way which is closer than the existing window. The existing window is obscure glazed and concerns as it is not clear whether the new window will have the same, if not it is seen as invading the privacy of the neighbouring properties.

The Park Langley Residents Association requested that the Planning Authority is satisfied that the proposal accords with Policy BE1 and The Planning Guide para 3.1 and that in particular the existing streetscene is preserved or enhanced and that it is not detrimental to that aspect of the area by virtue of over-development.

Comments from Consultees

The Advisory Panel for Conservation Areas were consulted who objected the now superseded application at it was considered that the proposal is an overdevelopment with a loss of side space and the pleasing balance and composition of the original design, contrary to Policies BE1, BE11 and SPG 3 paragraphs 24 – 25.

Planning Considerations

The application falls to be determined in accordance with the following policies of the Unitary Development Plan and the London Plan:

BE1 Design of New Development
BE11 Conservation Areas
H8 Residential Extensions
H9 Side Space

Planning History

In 1990 under planning ref. 90/03276, permission was granted for a detached single storey swimming pool cover.

In 1992 under planning ref. 91/01319, permission was granted for a revised plan for permission ref. 90/03276 for the siting of the poll cover on the extended patio.

In 1993 under ref. 93/02265, Conservation Area Consent was granted for the removal of a chimney stack.

In 2005 under ref. 05/00948, no objections were raised to the intention to fell 1 hawthorn tree in the front garden.

In 2007 under planning ref. 07/00109, permission was granted for the construction of four front pillars to maximum height of 1.8 metres.

Conclusions

The main issues relating to the application are the effect that it would have on the character of the area and the impact that it would have on the amenities of the occupants of surrounding residential properties.

The single storey side extension with accommodation in the roofspace is not anticipated to result in a loss of light for the neighbouring property at No.39 Wickham Way given the orientation of the site whereby the application site borders the rear garden area of No. 39 and the rear elevation of No. 39 is located approximately 30m from the boundary with No. 1 Malmain Way. In addition as no windows are to be located in the side elevation of the proposal the impact in terms of loss of privacy shall also be negligible. The existing pool house shall shield the majority of the proposed rear extension from view and as such the impact on the residential amenity of No. 39 shall also be negligible.

The impact of the first floor side extension to the east of the property on the residential amenity of No. 3 is also anticipated to be minimal. No windows are located in the flank elevation of No. 3 and as such the impact in terms of loss of privacy shall be negligible. One window which services a bathroom is located in the side elevation of the proposal and were permission to be attached a condition requiring this to be obscure glazed would be attached. Given the modest scale of the proposal, the impact in terms of loss of light to No. 3 is anticipated to be minimal.

The ground floor rear extension shall project 3m beyond the rear elevation of the existing garage which shall be 5m beyond the rear elevation of the main dwellinghouse. Given that a 4m rear extension constitutes permitted development at this detached property and that the neighbouring property at No. 3 is located on a higher ground level than the application site, the impact on the residential amenity for this property is not anticipated to be of such an extent as to warrant refusal.

The first floor front/side extension of the proposal is not in accordance with Policy H9 as a 1m distance is not maintained for the full height and length of the flank wall of the building, due to an existing single storey element which is constructed right up to the boundary with No. 3. However, given that the first floor front/side extension is stepped back 3.2m from the boundary with No. 3 the proposal will not result in unrelated terracing and as such may be considered acceptable.

From a heritage perspective the current revised scheme is considered to be acceptable in that the first floor front/side extension has been stepped back from the principle elevation and shall have a lower roof height than the main dwellinghouse and as such shall appear subservient and has been designed to respect and complement the original dwellinghouse, in line with Policy BE11. It was also considered that the first floor front/side extension is aesthetically more pleasing than the existing façade which features a side dormer window extension which is not in keeping with the principle elevation.

The single storey side extension with accommodation in the roofspace which given its height of 5.2m is required to adhere to the 1m side space requirement in accordance with Policy H9. While this element of the application is sizeable it is set back 2.8m from the principle elevation and will also appear subservient to the main dwellinghouse and as such the impact on the overall appearance of the property or the streetscene is not anticipated to be of such an extent as to warrant refusal.

In summation, the proposal is considered acceptable in that it will not be unduly harmful to the residential amenities of the neighbouring properties nor will it be detrimental to the overall appearance of the property or the character of the Park Langley Conservation Area. While the first floor front/side extension is technically not in accordance with Policy H9 it shall not result in an undesirable terracing effect and as such is considered to be acceptable.

Background papers referred to during production of this report comprise all correspondence on file ref. 10/03493, excluding exempt information.

as amended by documents received on 21.01.2011 16.02.2011

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- | | | | |
|---|--------|--|--|
| 1 | ACA01 | Commencement of development within 3 yrs | |
| | ACA01R | A01 Reason 3 years | |
| 2 | ACC04 | Matching materials | |
| | ACC04R | Reason C04 | |
| 3 | ACI12 | Obscure glazing (1 insert) | in the first floor eastern flank elevation |
| | ACI12R | I12 reason (1 insert) | BE1 |
| 4 | ACI17 | No additional windows (2 inserts) | first floor flank extension |
| | ACI17R | I17 reason (1 insert) | BE1 |

Reasons for granting permission:

In granting planning permission the Local Planning Authority had regard to the following policies of the Unitary Development Plan:

- BE1 Design of New Development
- BE11 Conservation Areas
- H8 Residential Extensions

H9 Side Space

The development is considered to be satisfactory in relation to the following:

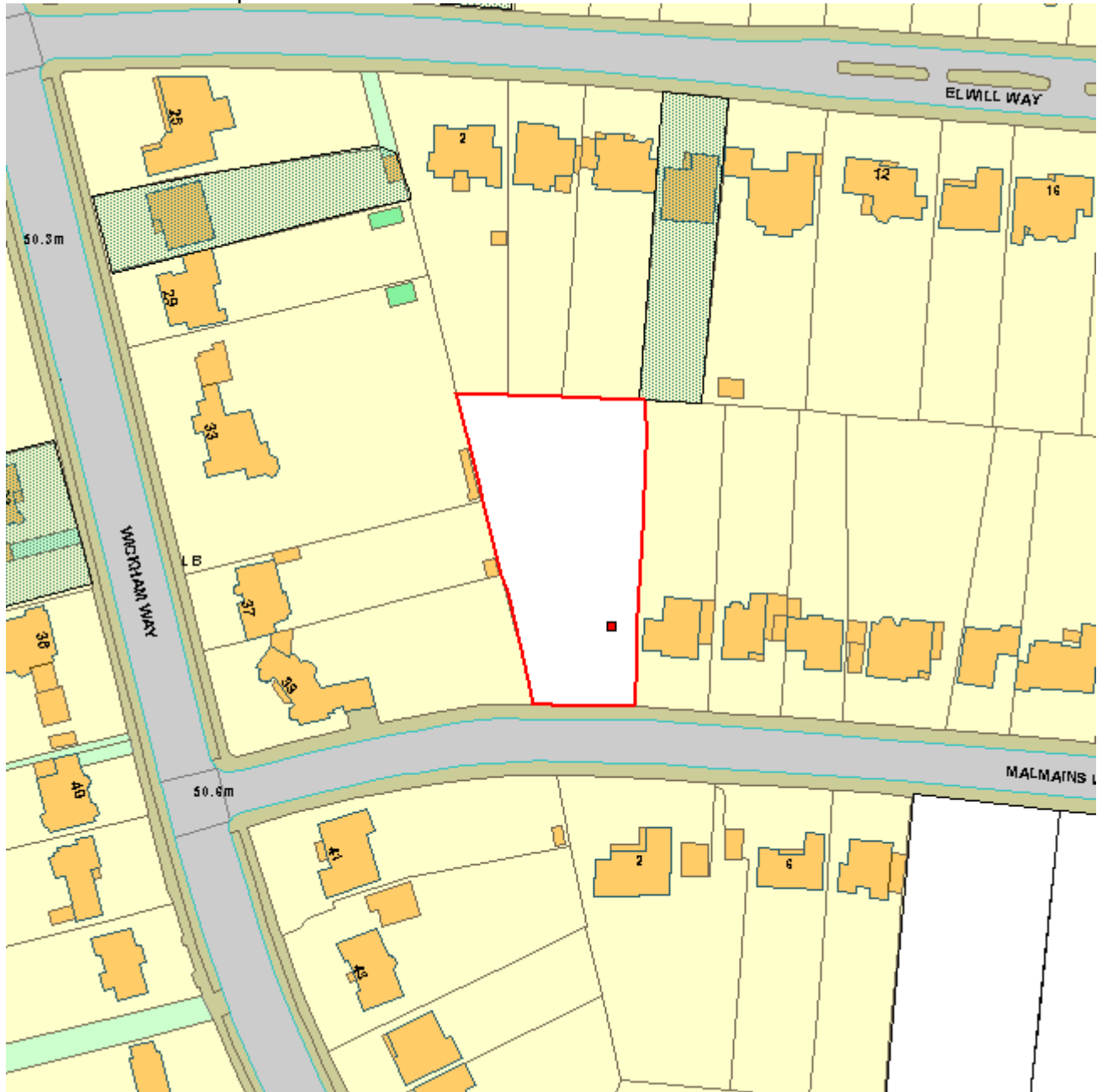
- (a) the appearance of the development in the street scene;
- (b) the relationship of the development to adjacent properties;
- (c) the character of the development in the surrounding area;
- (d) the impact on the amenities of the occupiers of adjacent and nearby properties;
- (e) the housing policies of the UDP;

and having regard to all other matters raised.

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