

SECTION '2' – Applications meriting special consideration

**Application No :** 10/03161/FULL1

**Ward:**  
**Kelsey And Eden Park**

**Address :** Backwoods Kelsey Lane Beckenham  
BR3 3NE

**OS Grid Ref:** E: 537217 N: 169220

**Applicant :** Finn Dental Specialists

**Objections : NO**

**Description of Development:**

Proposed single storey side and front (southern elevation) extension at dental practice

**Proposal**

This application is for a proposed single storey side and front (southern elevation) extension.

While the Design and Access Statement refers to the front elevation of the property as that facing the highway for the purposes of this description, the front elevation shall be the principle south facing elevation. It is proposed to demolish an existing single storey side extension and construct a single storey side and front extension which is of contemporary design. The property is to be extended approximately 5.9m from the flank wall of the original dwellinghouse, which will be approximately 2.2m beyond the existing single storey side extension. The proposed extension shall not project beyond the rear elevation of the property and shall be 9.9m in length. The principle elevation of the property is to be extended by 1.6m and 3.2m beyond the front elevation of the existing single storey side extension.

**Location**

The application is located to the west of Kelsey Lane and is a detached two storey property currently in use as a dental practice with the principle elevation facing southwards. Properties in the area differ significantly in terms of architectural style and scale with a number of detached properties within sizeable grounds and smaller scale semi-detached properties.

**Comments from Local Residents**

Nearby owners/occupiers were notified of the application and no representations were received.

## **Comments from Consultees**

The Council's Highways Drainage Section were consulted who stated that the plans do not indicate any Public S.W. Sewer in close proximity to the site and as such connecting to and existing Main Sewer as indicated is not possible. The applicant is required therefore, to submit details for the proposed SUDS (Sustainable Drainage Systems) as the use of SUDS was also indicated in the plans.

Thames Water and the Council's Waste Advisors and Environmental Health Department were also consulted who raised no objections to the proposal.

The Highway's Department were consulted who stated the development is situated on the west side of Kelsey Lane, Beckenham. The site is located in an area with medium PTAL rate of 4 (on a scale of 1 - 6, where 6 is the most accessible). The applicant is providing 5 off street parking spaces inclusive of 1 disabled bay via the existing access from Kelsey Lane, which is acceptable. Although the proposal will result in loss of a parking space it was considered that the proposal would not have a significant impact on parking demand within the local road network and as such no objections were raised from a highways perspective.

## **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  
C4 Health Facilities

## **Planning History**

In 2005 under planning ref. 05/01976, permission was refused for a part one/two storey extension comprising additional floor space for dental practice (the ground floor was to be extended by 10.25m in width which is 3.75m wider than the current application) and stairs to first floor flat which was refused on the following grounds:

“The proposal would result in an over-intensive use of the site as a result of the increased floorspace for the surgery use of the premises, detrimental to the amenities of nearby residential properties by reason of likely increase in car parking, general noise and disturbance associated with the comings and goings of practitioners, staff, patients, visitors and callers, thereby contrary to Appendix III.5 of the adopted Unitary Development Plan and Policies C5 and BE1 of the second deposit draft Unitary Development Plan (September 2002)”

In 2003 under planning ref. 03/00661, permission was refused for a part change of use of ground floor from residential to dental surgery and conversion of first floor to 1 one bedroom flat, with 6 car parking spaces on the following grounds:

“The proposal would result in an overintensive use of the site as a result of the increased commercial use of the premises in conjunction with the provision of a self-contained residential flat, which would be out of character within this residential neighbourhood and detrimental to the residential amenities of the area thereby contrary to Appendix III.5 of the adopted Unitary Development Plan and Policies C5 and BE1 of the second deposit draft Unitary Development Plan (September 2002).

The proposal would result in an increase in vehicular traffic on this unmade road and would be lacking in adequate parking to serve the needs of the proposed consulting rooms and flat, thereby contrary to Policy T.15 of the adopted Unitary Development Plan and Policies T3 and T17 of the second deposit draft Unitary Development Plan (September 2002)”.

This application was subsequently allowed at appeal. While the first floor does not have a front door separating it from the dental surgery below it may still be deemed to be a flat as outlined by Circular 10/97 Para 2.81 as it comprises a separate "planning unit" from the rest of the building and has been adapted for residential purposes, containing the normal facilities for cooking, eating and sleeping associated with use as a dwellinghouse (in addition see Barrow B.C. 10/7/96). As such this Appeal Decision appears to be the most recent planning permission pertaining to the property. It is not clear however, whether this is currently the situation although a plan indicating the layout of the first floor has been provided.

In 2001 under planning ref. 01/02337, permission was granted for a part one/two storey side/rear extensions, plus single storey front extension. This does not appear to have been implemented.

In 2001 under planning ref. 00/03362, permission was granted for the removal of condition 01 of permission ref. 94/2566 granted for change of use of ground floor from residential to dental surgery. Condition 1 stated “the use shall be carried out only by Mr. G. Finn whilst he is residential occupier” which was replaced by Condition 1 of 00/00362 which stated “the occupation of the dwelling at Backwoods shall be limited to a person carrying on the dental practice at the premises together with any dependent of such person residing with him or her”. Therefore, the current position is that any dentist as opposed to solely Mr. G Finn may reside in the first floor of property.

In 1994 under planning ref. 94/02566, permission was granted for a change of use for part of the ground floor from residential to dental surgery which was a retrospective application.

## **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.

Policy C4 is a key consideration when determining this application, it states “applications for new or improved health care facilities will be permitted provided

that they are accessible by public transport or are located within town centres, district centres, local centres or local neighbourhood centres and parades". The application site is located within an area with a medium PTAL (Public Transport Accessibility Level) rate and is in close proximity to Manor Road and Beckenham High Street. No objections were raised from a highways perspective and as such the application site is considered to be sufficiently accessible by public transport and is adherence with Policy C4.

The majority of the fenestration to be inserted in the rear elevation of the proposal is to be located at a high level and the window which is to be located at eye level is to have a timber screen in front of the glazing. Therefore, given the 3m distance from the boundary the potential loss of light or of privacy or sense of overlooking for 'Wayside' is not anticipated to be of such an extent as to warrant refusal. The majority of the windows to be inserted on the principle elevation are also located above eye level and any lower level windows shall be fixed with timber screens and given the distance of approximately 7.5m to the boundary with 'The Dingle' the impact in terms of loss of light or privacy is anticipated to be minimal. A number of windows are to be located in the western side elevation, however, given the distance to the boundary with the rear garden areas of No. 25 and No. 27 of approximately 11.5m and the existing planting at the boundary, the proposal is not anticipated to be significantly detrimental in terms of loss of light or privacy for No. 25 or No. 27.

Para 6.11 of Policy BE1 states "good modern design can be imaginative and innovative, and will be welcomed in appropriate circumstances where it contributes positively to the surrounding environment". The contemporary design of the proposed extension is not considered to be unduly harmful to the appearance of the original dwellinghouse. The majority of the proposed extension shall not be visible from the highway as the existing structure shall shield it from view. Members are asked to consider whether the considerable scale of the development is acceptable as despite being single storey is 6m in width which is more than 50% of the width of the original dwellinghouse and shall project 3.2m beyond the principal elevation of the property. Members should consider whether this is acceptable given the context of the site where the proposal will be set within a large plot and given the orientation of the property it is not anticipated to be highly visible in the streetscene.

In summation, Members are asked to consider whether the development in the manner proposed is acceptable in terms of the impact on the residential amenity of neighbouring properties and whether the proposed extension which is to be of a considerable scale will impact upon the overall appearance of the property or the streetscene to such an extent as to warrant refusal given the orientation of the property whereby the proposed extension shall not be highly visible from the highway.

Background papers referred to during production of this report comprise all correspondence on file ref. 10/03161, excluding exempt information.

as amended by documents received on 10.12.2010 25.01.2011

## RECOMMENDATION: MEMBERS' VIEWS ARE REQUESTED

0 D00002 If Members are minded to grant planning permission the following conditions are suggested:

1 ACA01 Commencement of development within 3 yrs

ACA01R A01 Reason 3 years

2 ACC01 Satisfactory materials (ext'nl surfaces)

ACC01R Reason C01

3 ACD06 Sustainable drainage system (SuDS)

ADD06R Reason D06

4 ACH03 Satisfactory parking - full application

ACH03R Reason H03

5 The use which permitted shall not operate outside the following times:

- 08:30 to 18:30 Monday to Friday;
- 08:30 to 13:30 on Saturday; and
- not at any time on Sunday, Bank Holidays or Public Holidays.

**Reason:** As per Condition 3 of Appeal Decision APP/G5180/A/03/1129503 and in the interests of the residential amenities of the area in accordance with Policy BE1 of the Unitary Development Plan.

6 No more than 16 patients per day shall be admitted to the dental surgery from Monday to Friday, and no more than 10 patients shall be admitted on a Saturday.

**Reason:** To allow the Council to consider any increase in the level of activity at the site and in the interests of the residential amenities of the area in accordance with Policy BE1 of the Unitary Development Plan.

7 The occupation of the dwelling at Backwoods shall be limited to a person carrying on the dental practice at the premises together with any dependent of such person residing with him or her.

**Reason:** In the interests of the residential amenities of the area in accordance with Policy BE1 of the Unitary Development Plan.

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

BE1 Design of New Development

C4 Health Facilities

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 impact on the amenities of the occupiers of adjacent and nearby properties.

and having regard to all other matters raised.

INFORMATIVE(S)

- 1 Before the use commences, the applicant is advised to contact the Pollution Team of the Environmental Health & Trading Standards regarding compliance with the Control of Pollution Act 1974 and/or the Environmental Protection Act 1990.

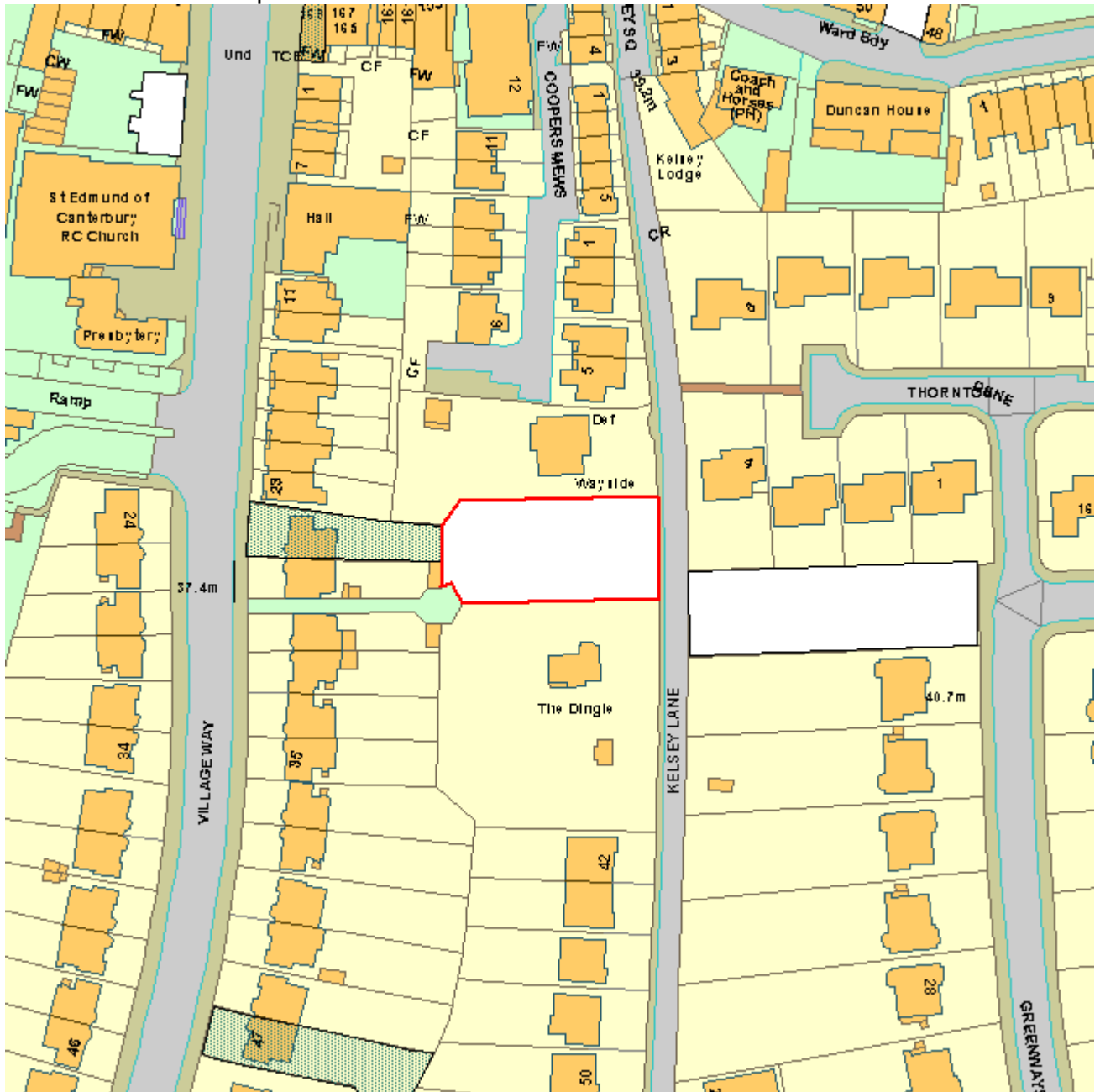
D00003 If Members are minded to refuse planning permission the following grounds are suggested:

- 1 The proposed development by reason of its size and design would be seriously out of character and scale with the surrounding area and would be visually unrelated to the existing building detrimental to the appearance of the dwelling and contrary to Policy BE1 of the Unitary Development Plan.
- 2 The proposed development would intensify and consolidate an existing commercial use located in an otherwise wholly residential area and be detrimental to the residential amenities of nearby properties by reason of noise and general disturbance likely to result from the use.

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