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## PLANS SUB-COMMITTEE NO. 1

**Meeting to be held on Thursday 17 January 2019**

### SUPPLEMENTARY AGENDA

**The attached report listed below was not circulated with the published agenda and is now submitted for consideration.**

Report No.	Ward	Page Nos.	Application Number and Address
8.1	West Wickham	1 - 6	(18/05099/FULL6) - 41 Wickham Chase, West Wickham BR4 08D

***Copies of the documents referred to above can be obtained from***  
**[www.bromley.gov.uk/meetings](http://www.bromley.gov.uk/meetings)**

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

**Application No :** 18/05099/FULL6

**Ward:**  
West Wickham

**Address :** 41 Wickham Chase, West Wickham  
BR4 0BD

**OS Grid Ref:** E: 538830 N: 166549

**Applicant :** Ms Frances Peel

**Objections :** YES

### **Description of Development:**

Demolition of existing garage and erection of a single storey rear extension

### **Key designations:**

Smoke Control SCA 2

### **Proposal**

The application seeks permission for the demolition of the existing garage and the erection of a single storey rear extension with a depth of 3.5m. The extension would project the full width of the dwelling and would have a flat roof featuring a parapet wall with a height of 3.3m.

### **Location and Key Constraints**

The application site comprises a semi-detached dwellinghouse located on the northern side of Wickham Chase, West Wickham. The property is not located within a conservation area and is not listed.

### **Comments from Local Residents and Groups**

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

#### **Objections**

- Object to the length of the proposed extension being 3.5m and the height being 3.3m as it exceeds legally permitted measurements if the adjoining neighbour doesn't give consent.
- Its height, excessive rearward projection and siting would be detrimental to our amenities.
- Would create a tunnelling effect at the back of our house.
- Reduce daylight and block sunlight, and cause a deprivation of heat by shadowing.
- Proposed flat roof contravenes SPG2

- Would like to be provided with the light calculations by No.41 to demonstrate the angle from the centre of our dining room's french doors to the roof.
- Concerned about closeness of the boundary fence, and it would break the 45degree rule.
- Would like to be provided with a party wall / structural agreement.
- Would be happy to approve plans if they considered an extension which reflects No.45s.
- Extension would fail to comply with limitations of the permitted development legislation.

### **Comments from Consultees**

Highways: The development will result in loss of one parking space by conversion of the garage to a habitable accommodation. However, there are spaces available within the site's curtilage which would be utilised for parking. Therefore on balance as it is a small development I raise no objection to this proposal.

### **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.

The application falls to be determined in accordance with the following policies

#### London Plan Policies

7.4 Local character  
7.6 Architecture

#### Unitary Development Plan

H8 Residential extensions  
T3 Parking  
BE1 Design of new development

#### Draft Local Plan

6 Residential Extensions  
30 Parking  
37 General Design of Development

#### Supplementary Planning Guidance

SPG1 - General Design Principles  
SPG2 - Residential Design Guidance

### **Planning History**

The application site has the following previous planning history;

- 18/04271/HHPA - Single storey rear extension (4.5m) - Proposal not permitted development.

### **Considerations**

The main issues to be considered in respect of this application are:

- Design
- Highways
- Neighbouring amenity
- CIL

#### 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. 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.

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

The scale and bulk of the proposed extension would not be excessive and it is considered an acceptable addition to the host dwelling. It would not be excessive in its rearward projection, nor would its height and appearance result in a detrimental impact to the host dwelling. The proposed materials indicate a white rendered blockwork finish that would be in keeping with the existing dwelling and it is therefore considered the extension would not result in any significant harm to the appearance of the host dwelling or the visual amenities of the streetscene, particularly given the extensions siting to the rear of the property.

Having regard to the scale, siting and proposed materials it is considered that the proposed extension(s) would complement the host property and would not appear out of character with surrounding development or the area generally.

### Highways

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.

The development would result in the loss of one parking space as a result of the removal of the existing garage. However, there are spaces available within the site's curtilage which would be utilised for parking. Therefore on balance Highways Officers have raised no concern with regards to the impact of the proposed development on highways matters.

### 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 extension would project 3.5m beyond the rear of the neighbouring property at No.43 given this neighbour does not benefit from any rear extensions

which abut the boundary. The proposed rearward projection beyond the neighbour is not considered excessive and any harm resulting from this depth in terms of loss of outlook would not be considered unacceptable. It is noted that the orientation of the sites is such that the extension would have a degree of harm in terms of loss of light to this neighbour, particularly given its height. However given its modest rearward projection it is considered on balance that any harm resulting from the height of the proposed extension would not be sufficient as to warrant a refusal of the application on these grounds.

With regards to the impact on No.39 the extension would not project closer to the shared boundary than the existing dwelling and its overall impact would be mitigated through the removal of the existing garage which abuts the shared boundary given that the extension would not project as far beyond the rear of the neighbour than the existing garage. The proposed extension would also project only 1.4m further than the existing single storey rear element and this increase is considered modest. Given the above it is therefore considered the development would not result in any harm to this neighbour above that which already exists.

It is noted that representations have been received relating to the application not complying with permitted development legislation, however the application seeks full planning permission and therefore the development is not restricted by this legislation. The application is therefore to be considered on its impact on the amenities of the neighbouring residents. Representations have also been received regarding party wall / structural agreements, however this would form a private legal matter which does not form part of the planning application.

Having regard to the scale, siting and orientation of the development, it is not considered that a significant loss of amenity with particular regard to light, outlook, prospect and privacy would arise.

### CIL

The Mayor of London's CIL is a material consideration. CIL is not payable on this application.

### **Conclusion**

Having had regard to the above it is considered that the development in the manner proposed is acceptable in that it would not result in a significant loss of amenity to local residents nor impact detrimentally on the character of the area.

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** Unless otherwise agreed in writing by the Local Planning Authority the materials to be used for the external surfaces of the development hereby permitted shall as far as is practicable match those of the existing building.

**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** 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 Unitary Development Plan and in the interest of the visual and residential amenities of the area.**