

SECTION '2' – Applications meriting special consideration

Application No : 16/04692/FULL6

Ward:
Bickley

Address : Eagleshurst Bickley Park Road Bickley
Bromley BR1 2BE

OS Grid Ref: E: 543079 N: 169138

Applicant : Mr P Eagles

Objections : YES

Description of Development:

Two storey side extension, first floor side extension, front porch, elevational alterations, associated garden landscaping and balustrading and new front boundary fence (Amended front elevation)

Key designations:

Area of Special Residential Character
Biggin Hill Safeguarding Area
London City Airport Safeguarding
Open Space Deficiency

Proposal

The application property is a detached two storey dwelling is situated on the north-western side of Bickley Park Road, and lies within Bickley Area of Special Residential Character. A similar style dwelling known as Liberton lies immediately to the north-east (and has been recently extended), whilst a detached two storey property known as Kenedon lies at a higher level to the south-west.

It is proposed to add a two storey front/side extension to the south-western side of the dwelling, along with a first floor side extension behind the garage on the north-eastern side, and a pitched roof over the garage and existing side dormer. Bi-fold doors are also proposed in the rear elevation at ground floor level, whilst a terrace would be provided to the rear of the proposed two storey extension. This can be summarised as follows:

Two storey side: This would have a maximum height of 7.8m and provide new hall, TV room and lounge on the ground floor and two bedrooms with ensembles on the first floor. The extension would be 7.4m wide and 12.5m in depth.

First floor side: This would provide a bathroom and additional ensuite. The extension will have a pitched roof to a maximum height of 4.5m. A pitched roof is also to be added to the existing side dormer to a maximum height of 1.7m.

Porch: This is a two storey porch to a maximum height of 6.7m and is incorporated into the side extension.

Front extension: This will infill the current overhang between the garage and the living room. It will project 0.9m and 4.4m wide.

Elevational alterations: The house is to be rendered and a mono-pitched roof added above the existing living room together with alterations to the rear elevation with the insertion of bi-folding doors.

Front boundary fence: Retrospective planning permission is sought for a new front boundary fence which is ~20.8m in length with a maximum height of 1.8m high timber fence.

A separation of between 2.1-3.8m would be provided between the two storey front/side extension and the south-western flank boundary with Kenedon, whilst a separation of 1.8m exists to the north-eastern flank boundary with Liberton.

Consultations

Nearby owners/occupiers were notified of the application and representations were received from the occupier of 12 Alpine Copse to the rear which can be summarised as follows:

- o loss of sunlight and privacy to rear of house and back garden
- o imposing impact of extension which will be overly high
- o the short depth of the gardens would exacerbate the impact of the extension.

Highways: No objections.

Planning Considerations

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

National Planning Policy Framework (NPPF) (2012)

The NPPF confirms that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise.

Chapter 7 - Requiring Good Design

The London Plan (2015)

Policy 7.4 Local Character

Policy 7.6 Architecture

Unitary Development Plan (2006)

BE1 Design of New Development

BE7 Railings, Boundary walls and other means of enclosure

H8 Residential Extensions

H9 Side Space

H10 Areas of Special Residential Character

The Council is preparing a Local Plan and commenced a period of consultation on its proposed submission draft of the Local Plan on November 14th 2016 which closes on December 31st 2016 (under The Town and Country Planning (Local Planning) (England) Regulations 2012 as amended). It is anticipated that submission of the draft Local Plan to the Secretary of State will occur in the early part of 2017. These documents are a material consideration. The weight attached to the draft policies increases as the Local Plan process advances.

Draft Policy 1 Housing Supply

Draft Policy 4 Housing Design

Draft Policy 8 Side Space

Draft Policy 30 Parking

Draft Policy 32 Road Safety

Draft Policy 73 Development and Trees

Draft Policy 37 General Design of Development

Other Guidance

Supplementary Planning Guidance 1 - General Design Principles

Supplementary Planning Guidance 2 - Residential Design Guidance

Planning History:

Planning permission was refused for the construction of a two storey front/side extension, first floor side extension, pitched roof over garage and side dormer, elevational alterations and raised terrace at rear under ref: 16/01457/FULL6 (2nd June 2016) for the following reasons:

1 The proposed two storey front/side extension would, by reason of its high level siting and bulky and incongruous design, have a detrimental impact on the character and appearance of Bickley Area of Special Residential Character, thereby contrary to Policies BE1, H8 and H10 of the Unitary Development Plan.

2 The proposed two storey front/side extension would, by reason of its size, high level siting and close proximity to the rear of No.12 Alpine Copse, result in significant overlooking and loss of outlook from this property, thereby contrary to Policy BE1 of the Unitary Development Plan.

The application was subsequently dismissed at appeal (19/09/2016), the Inspector assed the application in respect of the refusal grounds and stated:

"In this particular instance, due to the lie of the land, the central ridgeline of the side extension would be to a significantly greater height than that of the host dwelling and this would make for a noticeable awkward juxtaposition. The extension is also in two distinct sections with a narrow two-storey front projection sitting ahead of the main part of the development, overlain by a gabled roof to reflect the arrangement behind. However, I consider that this rather fragmented appearance, along with the height increase and the resultant bulky form, would make for a somewhat disparate and insubordinate form of development, distorting the architectural integrity of the existing dwelling. This would be contrary to the recognised aims of protecting the BASRC from unsympathetic development of which I consider the proposal to be a case in point".

"Both the appeal property and No 12 Alpine Copse, behind, do not enjoy particularly deep rear gardens and, in terms of potential overlooking, I consider that the elevated level of the proposed extension would be compounded by the expanse of clear glazing lighting the proposed 'Master Suite'. In the circumstances it is likely that the proposed physical arrangement would make the rear garden of No 12 vulnerable to being overlooked by persons looking out from this rear facing room at first floor level".

Conclusions

It is considered the planning issues and considerations relate to:

- o Design and bulk
- o Neighbouring amenity
- o Mayoral CIL

To address the previous reasons for the refusal and inspectors concerns the design of the extension has been addressed with the extension now appearing as one cohesive extension with the land to the north-west being excavated to allow the extension to set into the slope and therefore addressing the second refusal ground.

Design and Bulk:

London Plan Policy 7.4 requires developments to have regard to the form, function, and structure of an area. Policy BE1 states that all development proposals, including extensions to existing buildings, will be expected to be of a high standard of design and layout. Policy H8 states that the design and layout of proposals for the alteration or enlargement of residential properties will be required to (i) the scale, form and materials of construction should respect or complement those of the host dwelling and be compatible with development in the surrounding area and (ii) space or gaps between buildings should be respected or maintained where these contribute to the character of the area.

The site is located within the Bickley Area of Special Residential Character (BASRC) which, along with other identified ASRCs within the borough. Policy H10 advises that development in ASRCs will be required to respect and complement the established and individual qualities of these areas and outlines the general

approach to be taken when designing new development therein. The Council considers is vulnerable to unsympathetic development threatening the area's established character and residential amenity.

Policy H9 states that when considering applications for new residential development, including extensions, the Council will normally require the following:

(i) for a proposal of two or more storeys in height, a minimum 1 metre space from the side boundary of the site should be retained for the full height and length of the flank wall of the building; or

(ii) where higher standards of separation already exist within residential areas, proposals will be expected to provide a more generous side space. This will be the case on some corner properties.

The Council considers that the retention of space around residential buildings is essential to ensure adequate separation and to safeguard the privacy and amenity of adjoining residents. It is important to prevent a cramped appearance and unrelated terracing from occurring. It is also necessary to protect the high spatial standards and level of visual amenity which characterise many of the Borough's residential areas. Proposals for the replacement of existing buildings will be considered on their merits.

The Council will normally expect the design of residential extensions to blend with the style and materials of the main building. Where possible, the extension should incorporate a pitched roof and include a sympathetic roof design and materials.

The south-western extension would be set 2-3.8m away from the flank boundary and the proposed first floor side extension would have a 1.8m side space which would therefore accord to with policy H9.

The proposed extension would alter the overall design and character of the original dwelling by removing the original distinctive 1970's design of the cat-slide roof. This property was originally identical to Liberton to the north-east and properties to the north located in Alpine Close. The majority of properties along Bickley Park Road appear to be individually designed, and the new extensions would make the properties similar to the remaining properties along Bickley Park Road and as therefore on balance whilst this would now remove one of the identical pair of properties would not impact or detract from the character and appearance of area generally.

The extension would be rendered together with the original building.

The proposal is for a with new boundary wall at a maximum height of 1.8m, which is similar to the existing arrangement and other boundary treatments along Bickley Park Road and is considered to complement the character of the area.

It is considered that the extensions have addressed the previous concerns raised by the Council and Inspector by creating a cohesive design similar to others along Bickley Park Road and at the same level as the original house. Given the size of

the plot and distance from neighbouring properties it is considered that the extensions would not appear overly bulky or dominant within the street scene, and would not

As such it is considered that the proposed development is acceptable and complies with policy on design.

Neighbouring Amenity:

Policy BE1 (v) states that the development should respect the amenity of occupiers of neighbouring building and those of future occupants and ensure their environments are not harmed by noise and disturbance or by inadequate daylight, sunlight or privacy or by overshadowing. This is supported within Policy 7.6 of the London Plan.

Both the appeal property and No 12 Alpine Copse, behind, do not enjoy particularly deep rear gardens and, in terms of potential overlooking. Concerns have been raised from a neighbouring property in terms of light and privacy.

The Inspector when dismissing the previous application (ref: 16/01457/FULL6) considered "that the elevated level of the proposed extension would be compounded by the expanse of clear glazing lighting the proposed 'Master Suite'. In the circumstances it is likely that the proposed physical arrangement would make the rear garden of No 12 vulnerable to being overlooked by persons looking out from this rear facing room at first floor level." To address this the two storey side extension has been lowered to the level of the existing dwelling, whilst there is a new windows proposed to serve the "Master Suite" this appears large with an opening of 3.1m wide and 3.2m high in the rear elevation, however the flank panels are proposed to be obscure glazed and to ensure the level of obscurity a condition requiring details has been requesting. It is noted that the location of the new rear window is at the same level as the existing bedroom 4 and would not lead to an increased overlooking over and beyond the current situation.

With regards to loss of light, the two storey side extension is located ~18.5 m to the south. Given this distance it is considered that the development would not result in an un-neighbourly sense of enclosure and loss of daylight / sunlight, to the detriment of the neighbouring occupiers.

With regards to Kenedon to the south-west, this property is set at a higher level than the application property, and the south-western extension would be set 2-3.8m away from the flank boundary. The proposals are not therefore considered to adversely affect the amenities of the occupiers of this property.

The proposed first floor side extension to the north-eastern side of the dwelling would be set back 1.8m from the flank boundary with Liberton, and together with the pitched roofs over the garage and side dormer, would not unduly impact on the amenities of the adjoining occupiers.

The new boundary treatment would increase by a maximum of 0.35m and given the location to the side of the property adjacent to the Fairfield Road it is considered that the proposal would not have any significant impact on the neighbour's amenities in terms of loss of light, increase sense of enclosure or outlook over the current situation.

For these reasons, it is considered that the proposed development is acceptable, has addressed the previous reasons for refusal and Inspectors concerns and now complies with policy on neighbouring amenity.

Mayoral Community Infrastructure Levy (CIL):

The Mayor has introduced a London-wide Community Infrastructure Levy (CIL) to help implement the London Plan, particularly policies 6.5 and 8.3. The Mayoral CIL formally came into effect on 1st April, and it will be paid on commencement of most new development in Greater London that was granted planning permission on or after that date. The Mayor's CIL will contribute towards the funding of Crossrail. The Mayor has arranged boroughs into three charging bands. The rate for Bromley is £35 (plus indexing) per square metre.

The current application is not liable to this requirement.

Summary:

Having regard to the relevant provisions of Policies 7.4 and 7.6 of the London Plan 2015, Policies BE1, H8 and H9 of the Unitary Development Plan, 2006, the Council's Supplementary Planning Guidance on General Design Principles and Residential Design Guidance and other material considerations; it is considered that the proposed development would not materially harm the character or appearance of the area and the amenity of the surrounding occupiers. It is recommended that planning permission be granted.

as amended by documents received on 05.12.2016

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: Section 91, Town and Country Planning Act 1990.

- 2 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.

- 3 Details of the materials to be used for the external surfaces of the building shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced. The works shall be carried out in accordance with the approved details.**

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

- 4 Before the development hereby permitted is commenced, details of the proposed windows serving the first floor in the rear (north) elevation shall be obscure glazed in accordance with details to be submitted to and approved in writing by the Local Planning Authority and details of any openings shall be submitted to and approved in writing by the Local Planning Authority and shall subsequently be permanently retained in accordance with the approved details.**

Reason: In order to comply with Policy 7.6 of the London Plan, 2015 and Policy BE1 of the Unitary Development Plan and in the interest of the amenities of the adjacent properties.