

**Section '4' - Applications recommended for REFUSAL or DISAPPROVAL OF DETAILS**

**Application No :** 16/05544/FULL1

**Ward:**  
**Mottingham And Chislehurst  
North**

**Address :** 5 Clarence Road Mottingham London  
SE9 4SJ

**OS Grid Ref:** E: 542294 N: 172651

**Applicant :** Mr A Payton

**Objections : No**

**Description of Development:**

Two storey rear extension to no.5 Clarence Road and Construction of 3-bed end of terraced dwelling

Key designations:

Biggin Hill Safeguarding Area  
London City Airport Safeguarding  
Smoke Control SCA 51

**Proposal**

The application site is located on the southern side of Clarence Road. The site is currently the side garden of the end-of terraced dwelling known as 5 Clarence Road which is located to the east. There are 4 pairs of semi-detached properties to the west of the site which have a staggered building line following the bend in the road and there are flats opposite.

Planning permission is sought for a two storey rear extension to No. 5 Clarence Road and the construction of 3-bed end of terraced dwelling. The new dwelling would have a footprint of 58.029 sqm, 6.67m wide, a maximum depth at ground floor level of 8.7m (7.75m at first floor) with a pitched roof to match the terrace to a maximum height of 7.6m (eaves 5.025m).

**Consultations**

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

Highways:

The applicant is suggesting that the existing front drive to number 5 will now become the new drive for the proposed property and as before, have sufficient for off road parking for two vehicles and number 5 Clarence road will also be able to accommodate two vehicles on their newly formed front drive. This is satisfactory

subject to conditions regarding parking, front boundary enclosures, refuse, cycle parking, drainage and stopping up of an access.

Drainage:

The site is within the area in which the Environment Agency – Thames Region which require restrictions on the rate of discharge of surface water. As such no objections subject to conditions regarding surface water and SUDS.

Thames Water:

No objections subject to conditions.

**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 3.3 Increasing Housing Supply
- Policy 3.4 Optimising Housing Potential
- Policy 3.5 Quality and Design of Housing Developments
- Policy 3.8 Housing Choice
- Policy 6.9 Cycling
- Policy 6.13 Parking
- Policy 7.2 An Inclusive Environment
- Policy 7.4 Local Character
- Policy 7.6 Architecture

Unitary Development Plan (2006):

- BE1 Design of New Development
- H7 Housing Design
- T11 New Accesses
- T3 Parking

Draft Local Plan (2016):

- Draft Policy 1 Housing Supply
- Draft Policy 4 Housing Design
- Daft Policy 37 General Design of Development
- Draft Policy 30 Parking
- Draft Policy 32 Road Safety

## Planning History:

Planning permission was refused under ref: 16/02521/FULL1 for the construction of 2-bed end of terraced dwelling. The application was refused for the following reasons:

1. The proposed development by reason of its design, height, scale and mass would be an inappropriate development at this site, that would be out of proportion and out of keeping with the scale and design of the host properties, contrary to Policies 3.5 and 7.4 of the London Plan (2015), Policies H7 and BE1 of the Unitary Development Plan (2006) and the National Planning Policy Framework.

2. The proposed new dwelling, due to its position, height, scale, bulk and close proximity to the neighbouring No. 7 Clarence Road, would have an adverse impact on neighbour's amenities in terms of loss of outlook, an increase sense of enclosure contrary to Policy 7.6 of the London Plan (2015) and Policy BE1 of the Unitary Development Plan (2006).

## Conclusions:

It is considered the planning issues and considerations relate to:

- Principle of development and density;
- Housing Supply;
- Character including design, scale and bulk;
- Neighbouring amenity;
- Standard of accommodation;
- Car Parking and Access;
- Cycle Parking;
- Refuse;
- Sustainability and Energy;
- Landscaping; and
- Community Infrastructure Levy;

### Principle of development and density:

National, regional and local plan policies promote redevelopment of brownfield sites and optimising site potentials. There is however no presumption in favour of development sites created from rear gardens of residential houses. In this respect, policy 3.5 of the London Plan (2015) states that housing developments should be of the highest quality internally, externally and in relation to their context.

Policy H7 seeks to prevent unacceptable residential developments on backland and infill sites and *will be expected to meet all of the following criteria:*

*(i) the development complies with the density ranges set out in the density/ location matrix at Table 4.2 below;*

*(ii) in the interest of creating mixed and balanced communities, the development provides a mix of housing types and sizes, or provides house types to address a*

*local shortage;*

*(iii) the site layout, buildings and space about buildings are designed to a high quality and recognise as well as complement the qualities of the surrounding areas;*

*(iv) adequate private or communal amenity spaces are provided to serve the needs of the particular occupants;*

*(v) off street parking is provided at levels no more than set out in the Table at Appendix II. These are maximum parking standards. A higher provision will be acceptable only where it can be demonstrated that complying with the maximum standards would not be in the interest of the safety of highway users, or where additional parking is required to meet the needs of particular users, such as those with disabilities;*

*(vi) the layout is designed to give priority to pedestrians and cyclists over the movement and parking of vehicles; and*

*(vii) security and crime prevention measures are included in the design and layout of buildings and public areas.*

This is supported in London Plan Policies 3.4 and 3.5.

The application site fronts onto Clarence Road and this would form the basis of its character reference for the proposal in terms of plot sizes and built pattern of development. Plots are predominantly rectangular in shape with front amenity spaces and long rear gardens. The proposed development proposes the removal of the existing side garden and construction of an end of terraced dwelling, while the area is characterised by terraced, semi-detached properties and flats the relationship between the new dwelling and the neighbouring properties is considered to not fit into the established pattern and instead would appear shoe horned into the built environment to the detriment of the areas character.

In terms of density Table 3.2 of the London Plan (LP) and Policy H7 of the UDP provide a density matrix and states for Suburban areas with a PTAL 3 in the LP the density level should be between 150-250hr/ha. The density level at this site is proposed to be 294hr/ha. Which is over the density ranges set out above, density is only one aspect of applications acceptability and does not address the concerns regarding its siting and design which is explored further in the report.

As such it is considered that the principle of development cannot be accepted and is contrary to Policies 3.4 and 3.5 of the London Plan and Policies H1 and H7 of the UDP.

#### Housing Supply:

The National Planning Policy Framework (NPPF) states in Paragraph 49 that housing applications should be considered in the context of the presumption in favour of sustainable development.

The NPPF sets out in paragraph 14 a presumption in favour of sustainable development. In terms of decision-making, the document states that where a development accords with a local plan, applications should be approved without delay. Where a plan is absent, silent or relevant policies are out of date,

permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits or specific policies in the Framework indicate development should be restricted.

The document also encourages the effective use of land by reusing land that has been previously developed (brownfield land) and excludes gardens from the definition of previously developed land.

Character including design, scale and bulk:

London Plan Policy 7.4 requires developments to have regard to the form, function, and structure of an area, place or street and the scale, mass and orientation of surrounding buildings. Policy 7.6 also relates to architecture and how buildings should be of the highest architectural quality, be of a proportion, composition, scale and orientation that enhances, activates and appropriately defines the public realm and comprise details and materials that complement, not necessarily replicate, the local architectural character.

Policy BE1 requires a high standard of design in new development and the scale and form of new residential development to be in keeping with the surrounding area, and the privacy and amenities of adjoining occupiers to be adequately safeguarded. 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.*

With regards to the two storey rear extension to No. 5 it is considered that the design of the extension would be modest and by providing a pitched roof and utilising matching materials would result in an extension which would blend with the host building and as such this element is considered acceptable and complies with policy on design.

It is considered that the design of the new dwelling would blend in with the row of terraces; however it would appear shoe-horned and provide limited side space between the proposed new dwelling and the existing semi-detached house to the west. Whilst it is appreciated that the new dwelling would be sited forward of No. 7 and to address this concern the part of the first floor is set back by 0.95 adjacent to No. 7, however it would still appear cramped and create an uncomfortable relationship between the two properties.

Given all of the above it is considered the proposed new house fails to comply with Policy 7.6 of the London Plan and Policy BE1 of the UDP in that the dwelling does not have a proportion, composition and scale that enhances, activates and appropriately defines the public realm. The proposal fails to have regard to the form, function, and structure of the surrounding area and would not provide a positive relationship between the proposed and existing urban context.

### Neighbouring Amenity:

Policy BE1(v) of the UDP that new development will only be permitted where it can be demonstrated that the proposal does not cause an unacceptable loss of amenity to adjacent occupiers by reducing the amount of daylight, sunlight or privacy they enjoy or result in an un-neighbourly sense of enclosure. This is supported by Policy 7.6 of the London Plan.

The two storey rear extension would be located 4m from the eastern boundary with No. 3 and together with the modest depth of 3.7m it is considered that this element would not result in a loss of amenity in terms of light and increased sense of enclosure to any neighbouring property.

The proposed new house would be located to the east of No. 7, whilst the property is set back from the road the new house would result in a loss of amenity in terms of light and increased sense of enclosure to the front of the property.

### Standard of accommodation:

Policy 3.5 of the London Plan and the Housing SPG (2016) states the minimum internal floorspace required for residential units on the basis of the level of occupancy that could be reasonably expected within each unit should comply with Nationally Described Housing Standards (2015), consideration needs to also be given to Policies 3.5, 3.8 and 7.2 of the London Plan.

The floor space size of the new unit would be approximately 99.68 m<sup>2</sup>. The nationally described space standard requires 93m<sup>2</sup> for a 2-storey five person 3 bedroomed unit. On this basis, the floorspace provision for the unit is considered compliant with the required standards and is considered acceptable.

The shape and room sizes in the proposed building are considered satisfactory. None of the rooms would have a particularly convoluted shape which would limit their specific use.

The proposed amenity space to the rear would be accessed from the ground floor however would only measure 17.5m<sup>2</sup> (7.45m x 2.35m) which is considered to be very small for family unit and out of character with the surrounding properties.

### Car Parking and Access:

London Plan Policy 6.13 requires the maximum standards for car parking, which is supported by Policy T3 of the UDP. The proposed development would provide off-street parking spaces.

Given this provision, there is no objection to the proposed development on highway grounds.

### Cycle parking:

London Plan requires two cycle spaces per dwelling, no details of any lockable storage has been provided, however subject to further details required in a condition no objection is raised in this regard

### Refuse:

All new developments shall have adequate facilities for refuse and recycling. The Council's Waste Services Guidelines requires that bins should be easily accessible for collection and be located no more than 18 metres from the bin storage to the collection vehicle. Storage areas should be designed to accommodate the wheeled bins 'side by side' and not 'end to end'. Allowance should also be made for opening of the lid, as this will enable residents to access all containers without having to wheel them out of the storage area. As no details have been provided, it must be addressed by condition should permission be granted.

### Sustainability and Energy:

Policy 5.3 Sustainable Design and Construction of the London Plan states that the highest standards of sustainable design and construction should be achieved in London to improve the environmental performance of new developments and to adapt to the effects of climate change over their lifetime. Policy 5.2 Minimising Carbon Dioxide Emissions of the London Plan states that development should make the fullest contribution to minimising carbon dioxide emissions in accordance with the hierarchy; Be Lean: use less energy; Be clean: supply energy efficiently and Be green: use renewable energy.

No information has been provided with regards to this, however appropriate sustainability measures to ensure that the development strives to achieve the objectives set out above can be conditioned in planning permission is granted.

### Landscaping

An indicative landscaping layout has been submitted as shown on the proposed ground floor site plan drawing that details the areas given over to garden for external amenity for future occupiers. No objections are raised in this regard. Notwithstanding this full detail of hard and soft landscaping and boundary treatment can be sought by condition.

### Community Infrastructure Levy

The Mayor of London's CIL is a material consideration. CIL is payable on this application and the applicant will be required to completed the relevant form.

### Summary

The proposed construction of a 3-bed end of terraced dwelling on this particular site is considered to impact detrimentally on the character of the area and the amenities of the occupiers of the adjoining properties.

Accordingly, and taking all the above into account, it is recommended that planning permission be refused in line with the grounds contained within this report.

Background papers referred to during production of this report comprise all correspondence on the file ref: 16/05544/FULL1 set out in the Planning History section above, excluding exempt information.

## **RECOMMENDATION: APPLICATION BE REFUSED**

**The reasons for refusal are:**

- 1. The proposed development by reason of its design, height, scale and mass would be an inappropriate development at this site, that would be out of proportion and out of keeping with the scale and design of the host properties, contrary to Policies 3.5 and 7.4 of the London Plan (2015), Policies H7 and BE1 of the Unitary Development Plan (2006) and the National Planning Policy Framework.**
- 2. The proposed new dwelling, due to its position, height, scale, bulk and close proximity to the neighbouring No. 7 Clarence Road, would have an adverse impact on neighbour's amenities in terms of loss of outlook, an increase sense of enclosure contrary to Policy 7.6 of the London Plan (2015) and Policy BE1 of the Unitary Development Plan (2006).**
- 3. The proposal involves the unsatisfactory subdivision of an existing plot resulting in an overdevelopment of the site, leaving inadequate amenity space for the new occupiers which would be out of character with the area contrary to Policies 3.5 and 7.4 of the London Plan (2015) and Policies H7 and BE1 of the Unitary Development Plan.**