

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

Application No : 17/00652/FULL1

Ward:
Shortlands

Address : 93 Shortlands Road Shortlands Bromley
BR2 0JL

OS Grid Ref: E: 538721 N: 168570

Applicant : Mark Matthews

Objections : YES

Description of Development:

Part one/ two storey rear extension and single storey side/rear extension together with new front porch entrance and conversion of building to provide 2 one bedroom, 1 two bedroom and 1 three bedroom flats. Car parking to front, bin stores, cycle stores, amenity space and associated landscaping.

Key designations:

Conservation Area: Shortlands
Biggin Hill Safeguarding Area
London City Airport Safeguarding
Open Space Deficiency
Smoke Control SCA 9
Smoke Control SCA 21

Proposal

Planning permission is sought for a part one/ two storey rear extension and single storey side/rear extension together with new front porch entrance and conversion of building to provide 2 one bedroom, 1 two bedroom and 1 three bedroom flats. Car parking to front, bin stores, cycle stores, amenity space and associated landscaping.

The rear extensions are 4.98m depth at ground floor and 3m depth at first floor to the rear west flank of the building. To the east flank the ground floor extension is 1.7m depth at the rear of the existing garage/workshop structure that will be converted to habitable space as part of the proposal. The main entrance to the building will be located centrally within the front elevations.

Materials are indicated to match the existing building.

Location

The site is located on the south side of Shortlands Road and comprises a two storey detached house with a large rear garden.

The site is situated within Shortlands Conservation Area the boundary of which runs along the south east flank of the site adjoining the boundaries of residential properties fronting Hayes Lane outside of the conservation area.

Consultations

Local residents:

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

- Concerns that not enough parking is provided on site resulting in overflow and congestion on local roads.
- Concerns regarding an existing side facing bedroom window that will become a living room space with the window then causing a greater degree of overlooking to No95 due to its use. It is suggested by the commentator that this window should be fixed shut and obscure glazed.
- Comments that individual units might meet floor space standards but are inappropriate for long term housing in a suburban conservation area.
- Private garden areas of some units overlooked by other units in the building.
- Communal garden area is too small.
- Private gardens and communal gardens are overlooked by adjoining houses at 71 and 73 providing no privacy for future occupiers.
- Proposal provided unsatisfactory living accommodation.
- First floor windows would overlook No 73 with 'catastrophic' loss of privacy at 5.5m from boundary of No73, 17.5m from rear wall and 20m respectively.
- One window obliquely overlooks No 91.
- Two storey rear wall creates intrusive presence with an overbearing sense of enclosure and claustrophobia.
- Inadequate space to extend into 4 units.
- Use of property by 11 people would detrimental level of noise and disturbance.
- Loss of openness, light, outlook, privacy and by noise and disturbance.
- Increased use and vehicle movements at the site will interrupt flow of traffic resulting in unsafe and inconvenient traffic movements.
- Increased car use on the site would harm the character of the conservation area.
- An adjoining occupier has suggested refusal reasons to the Council based over development of the site.

Procedure:

- Concerns regarding the extent of the site visit undertaken to understand the site made by Council Officers.

Officer response: The site has been viewed from the public realm, the rear of the application site and from the rear of No73 Hayes Lane.

Shortlands Residents' Association:

- Conservation concerns regarding the appropriateness of moving the entrance door centrally to the front elevation.
- Concerns regarding damage to the character of the conservation area.
- Concerns regarding loss of privacy and amenity to neighbouring property.
- Concerns regarding the suitability of the level of parking proposed on site and intensification of the exit/entrance in terms of highway safety.
- Parking arrangement will result in a different visual appearance compared to similar houses.
- Extent of the development will have an undesired effect on character of the area and residential amenities.

Internal Consultations

Highways:

The site is located in an area with PTAL rate of 1b on a scale of 0 - 6b, where 6b is the most accessible. The existing vehicle access arrangement would be utilised leading to four car parking spaces which is considered acceptable. Six cycle parking spaces to rear of the site are shown which is acceptable. Refuse store location is acceptable.

Drainage

No comments.

Environmental Health - Pollution:

No objections.

Planning Considerations

Relevant policies and guidance in the form of the National Planning Policy Framework (NPPF) (2012) and National Planning Practice Guidance (NPPG) include:

- 14: Achieving sustainable development
- 17: Principles of planning
- 29 to 32, 35 to 37: Promoting sustainable transport
- 49 to 50: Delivering a wide choice of high quality homes
- 56 to 66: Design of development
- 131 to 141: Conserving and enhancing the historic environment

London Plan

- 3.3 Increasing Housing Supply
- 3.4 Optimising Housing Potential
- 3.5 Quality and Design of Housing Developments
- 3.8 Housing Choice

- 3.9 Mixed and Balanced Communities
- 5.1 Climate change mitigation
- 5.2 Minimising Carbon Dioxide Emissions
- 5.3 Sustainable Design and Construction
- 5.7 Renewable Energy
- 5.10 Urban Greening
- 5.11 Green Roofs and Development Site Environs
- 5.12 Flood Risk Management
- 5.13 Sustainable Drainage
- 5.14 Water quality and wastewater Infrastructure
- 5.15 Water use and supplies
- 5.16 Waste self-sufficiency
- 5.17 Waste capacity
- 5.18 Construction, excavation and demolition waste
- 5.21 Contaminated land
- 6.3 Assessing Effects of Development on Transport Capacity
- 6.5 Funding Crossrail and other strategically important transport infrastructure
- 6.9 Cycling
- 6.13 Parking
- 7.1 Lifetime Neighbourhoods
- 7.2 An Inclusive Environment
- 7.3 Designing Out Crime
- 7.4 Local Character
- 7.5 Public Realm
- 7.6 Architecture
- 7.8 Heritage Assets and Archaeology
- 7.14 Improving Air Quality
- 7.15 Reducing and Managing Noise, Improving and Enhancing the Acoustic Environment and Promoting Appropriate Soundscapes.
- 7.18 Protecting open space and addressing deficiency
- 7.21 Trees and Woodlands
- 8.3 Community Infrastructure Levy

Housing: Supplementary Planning Guidance. (March 2016)

Technical housing standards - Nationally Described Space Standard (March 2015)

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

- BE1 Design of New Development
- BE7 Railings, Boundary Walls and Other Means of Enclosure
- BE11 Conservation Areas
- BE12 Demolition in Conservation Areas
- BE14 Trees in Conservation Areas
- H1 Housing Supply
- H7 Housing Density and Design
- H9 Side Space
- H11 Residential Conversions
- NE7 Development and Trees

ER7 Contaminated Land
ER10 Light pollution
T3 Parking
T6 Pedestrians
T7 Cyclists
T16 Traffic Management and Sensitive Environments
T18 Road Safety

The Council's adopted Supplementary Planning Guidance (SPG) documents are also a consideration in the determination of planning applications. These are:

SPG1 General Design Principles
SPG2 Residential Design Guidance
SPG: Southend Road Conservation Area.

Emerging Bromley Local Plan:

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 closed on December 31st 2016 (under The Town and Country Planning (Local Planning) (England) Regulations 2012 as amended). It is anticipated that the submission of the draft Local Plan will be to the Secretary of State in mid 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 9 - Residential Conversions
Draft Policy 30 - Parking
Draft Policy 32 - Road Safety
Draft Policy 33 - Access for All
Draft Policy 34 - Highway Infrastructure Provision
Draft Policy 37 - General design of development
Draft Policy 41 - Conservation Areas
Draft Policy 43 - Trees in Conservation Areas.
Draft Policy 73 - Development and Trees
Draft Policy 77 - Landscape Quality and Character
Draft Policy 112 - Planning for Sustainable Waste management
Draft Policy 113 - Waste Management in New Development
Draft Policy 115 - Reducing flood risk
Draft Policy 116 - Sustainable Urban Drainage Systems (SUDS)
Draft Policy 117- Water and Wastewater Infrastructure Capacity
Draft Policy 118 - Contaminated Land
Draft Policy 119 - Noise Pollution
Draft Policy 120 - Air Quality
Draft Policy 122 - Light Pollution
Draft Policy 123 - Sustainable Design and Construction
Draft Policy 124 - Carbon dioxide reduction, Decentralise Energy networks and Renewable Energy

Planning History

07/03110/FULL6: Single storey rear extension. Approved 20.11.2007

Conclusions

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

- Principle of development
- The design and appearance of the scheme and the impact of these alterations on the character and appearance of the Southend Conservation area and locality
- The quality of living conditions for future occupiers
- Access, highways and traffic Issues
- Impact on adjoining properties

Principle of development

Policy H11 states that a proposal for the conversion of a single dwelling into two or more self contained residential units or into self-contained accommodation will be permitted provided that the amenities of occupiers of neighbouring dwellings will not be harmed by loss of privacy, daylight or sunlight or by noise and disturbance; the resulting accommodation will provide a satisfactory living environment for the intended occupiers; on street or off street parking resulting from the development will not cause unsafe or inconvenient highway conditions nor affect the character or appearance of the area; and the proposal will not lead to the shortage of medium or small sized family dwellings in the area.

The host property is a large dwellinghouse occupied over the ground and upper floors as a single unit of occupation with a good level of internal floor space. On this basis the principle of the conversion appears acceptable subject to compliance with other policies as assessed below.

Density

Policy 3.4 in the London Plan seeks to ensure that development proposals achieve the optimum housing density compatible with local context, the design principles in Chapter 7 of the plan, and with public transport capacity. Table 3.2 (Sustainable residential quality) identifies appropriate residential density ranges related to a site's setting (assessed in terms of its location, existing building form and massing) and public transport accessibility (PTAL).

The site has a PTAL rating of 1b and is within a suburban setting. In accordance with Table 3.2, the recommended density range for the site would be 40-65 dwellings per hectare. The proposed development would have a density of 53 dwellings per hectare.

Whilst the proposed development would sit within these ranges, a numerical calculation of density is only one aspect in assessing the acceptability of a residential development. Policy 3.4 is clear that in optimising housing potential,

developments should take account of local context and character, design principles and public transport capacity. Subject to more detailed consideration of the design and layout of the scheme and the quality of residential accommodation proposed, the proposed residential density is acceptable in principle only.

Design and Conservation

Policies 3.4 and 3.5 of the Further Alterations to the London Plan (March 2015) (FALP) reflect the same principles. Policy 3.4 specifies that Boroughs should take into account local context and character, the design principles (in Chapter 7 of the Plan) and public transport capacity; development should also optimise housing output for different types of location within the relevant density range. This reflects paragraph 58 of the National Planning Policy Framework, which requires development to respond to local character and context and optimise the potential of sites.

Policy BE1 and H7 of the UDP set out a number of criteria for the design of new development. With regard to local character and appearance development should be imaginative and attractive to look at, should complement the scale, form, layout and materials of adjacent buildings and areas. Development should not detract from the existing street scene and/or landscape and should respect important views, skylines, landmarks or landscape features. Space about buildings should provide opportunities to create attractive settings with hard or soft landscaping and relationships with existing buildings should allow for adequate daylight and sunlight to penetrate in and between buildings.

Policy BE11 states that in order to preserve or enhance the character or appearance of conservation areas, a proposal for new development within a conservation area will be expected to respect or complement the layout, scale, form and materials of existing buildings and spaces and incorporate in the design existing landscape or other features that contribute to the character, appearance or historic value of the area; and ensure that the level of activity, traffic, parking services or noise generated by the proposal will not detract from the character or appearance of the area.

The Shortlands Conservation area SPG details that "Extensions and additions should reflect the forms, materials, textures and finishes of the host building, along with the design philosophies underlying its style. These vary between individual buildings in this Conservation Area, and will need to respond to the specific building. The proportions, positioning and integration of an addition relative to the host building are important and deserving of significant design effort to safeguard not only the building's contribution to the public realm, but its enduring value to the owner. It should not be so large as to dominate or compete in visual terms with the host building."

In this case it is considered that the extensions proposed to the rear are subservient and will not cause harm to the character and appearance of the building and the conservation area. The extensions are not visible from the public streetscene and are entirely contained to the rear. Therefore the main effect will be on the character of the original building. As such, a high quality addition is

acceptable in principle. In this case, the incorporation of matching brickwork walls, window styles and roof tiles are considered an acceptable addition in keeping and complimentary to the architectural style of the building.

The repositioning of the front entrance door with a canopy style porch is considered to maintain the character and appearance of the building. It is noted that similar architecturally styled buildings in the vicinity have centrally positioned front doors.

In terms of the parking area provided to the front curtilage, a reasonable amount of soft landscaping is being provided and there does not appear to be any change to the existing boundary treatment. On balance the visual amenity of the conservation area streetscene will be maintained.

Standard of Residential 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).

Policy H11 of the UDP states a proposal for the conversion of a single dwelling into two or more self-contained residential units or into non self-contained accommodation will be permitted provided that the resulting accommodation will provide a satisfactory living environment for the intended occupiers.

The floor space size of each of the 4 units ranges between 37m² and up to 86m² respectively. The nationally described space standard requires a Gross Internal Area of 37m² for a one bedroom one person flat, 50m² for a one bedroom two person flat, 61m² for a two bedroom three person flat and 86m² for a three bedroom five person flat. With regard to the above it appears that the size of the proposed units for their intended occupancy would comply with the minimum standards.

The shape and room size in the proposed units is considered satisfactory. None of the rooms would have a particularly convoluted shape which would limit their specific use.

In terms of amenity space the extensive rear garden is of sufficient proportion to provide a usable space for the communal use and purposes of all the units. The ground floor flats also have private demarked areas. On balance the level of provision is considered satisfactory.

Impact on Adjoining Properties

Policy BE1 of the Unitary Development Plan states that development should respect the amenity of occupiers of neighbouring buildings and ensure they are not harmed by noise disturbance, inadequate daylight, sunlight, and privacy or overshadowing.

In terms of outlook, the fenestration arrangement will provide predominantly front and rear outlook over the garden area and front curtilage to habitable rooms. An existing secondary habitable room flank window is indicated to the first floor facing west. It is noted that concerns have been raised regarding overlooking to neighbouring rear curtilage and loss of privacy due to the proximity of the repurposed habitable room to a living area as opposed to bedroom. Given the secondary nature of this window a condition to require obscure glazing is considered to overcome this issue.

The first floor rear windows in the proposed rear extensions will also be of a smaller sliding sash style with a regular cill height. This will improve any perceived overlooking from the property from the existing situation where a full height patio style window faces to the rear. It shall also be noted that such outlook, where an occupier can see neighbouring gardens, is commonplace in the built environment. The outlook from the extensions is therefore not considered to be detrimental to adjoining occupiers.

In terms of enclosure given the reasonable distances to adjacent dwellings on Hayes Lane to the south the additional mass and scale of the extensions at the rear of the property are not considered to create any form of enclosure or be overbearing in a manner that would warrant the refusal of planning permission on this basis.

Highways and parking

London Plan and UDP Policies encourage sustainable transport modes whilst recognising the need for appropriate parking provision.

The Council's Highway Officer has reviewed the current application and not raised any objection to the level of parking or vehicle access arrangements provided at the site. Vehicles will be able to enter and exit in a forward gear as demonstrated on the plans. It is therefore considered that there will be minimal impact on parking and road safety in the vicinity.

Cycle parking

Cycle parking is required to be 1 space per studio/1 bedroom flats and 2 spaces for all other dwellings. The applicant has provided details of a location for cycle storage in the rear curtilage. A planning condition is recommended in this regard for further details of a secure lockable containment structure.

Refuse

All new developments shall have adequate facilities for refuse and recycling. The applicant has provided details of refuse storage area in the parking area. A planning condition is recommended in this regard for further details of a containment structure.

Trees and landscaping.

Policy NE7 states that proposals for new development will be required to take particular account of existing trees on the site and on adjoining land, which in the interests of visual amenity and/or wildlife habitat, are considered desirable to be retained.

An indicative landscaping layout has been submitted as shown on the proposed block plan drawing that details the areas given over to garden for external amenity for future occupiers. Notwithstanding this full detail of hard and soft landscaping and boundary treatment is also recommended to be sought by condition as necessary.

Community Infrastructure Levy

The Mayor of London's CIL is a material consideration. CIL is liable on this application and the applicant has completed the relevant form.

Summary

The development would have a high quality design and would not have an unacceptable impact on the amenity of neighbouring occupiers. It is considered that the density and tenure of the proposed housing is acceptable and that the development would not be detrimental to the character and appearance of the conservation area. The standard of the accommodation that will be created will be good. The proposal would not have an adverse impact on the local road network or local parking conditions. The proposal would be constructed in a sustainable manner and would achieve good levels of energy efficiency. It is therefore recommended that planning permission is granted subject to the imposition of suitable conditions.

Background papers referred to during production of this report comprise all correspondence on the file ref(s) 17/00652/FULL1 and any other applications on the site 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: 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 all external materials, including roof cladding, wall facing materials and cladding, window glass, door and window frames, decorative features, rainwater goods and paving where appropriate, shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced. The development 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** Details of a scheme of landscaping, which shall include the materials of paved areas and other hard surfaces, shall be submitted to and approved in writing by the Local Planning Authority before the commencement of the development hereby permitted. The approved scheme shall be implemented in the first planting season following the first occupation of the buildings or the substantial completion of the development, whichever is the sooner. Any trees or plants which within a period of 5 years from the substantial completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species to those originally planted.

Reason: In order to comply with Policy BE1 of the Unitary Development Plan and to secure a visually satisfactory setting for the development.

- 5** Before any part of the development hereby permitted is first occupied boundary enclosures of a height and type to be approved in writing by the Local Planning Authority shall be erected in such positions along the boundaries of the site(s) as shall be approved and shall be permanently retained thereafter.

Reason: In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of visual amenity and the amenities of adjacent properties.

- 6** Before commencement of the development hereby permitted details of (a) turning area(s) within the site shall be submitted to and approved in writing by the Local Planning Authority. The turning area(s) shall be provided before any part of the development is first occupied and shall be permanently retained thereafter.

Reason: In order to comply with Policies T3 and T18 of the Unitary Development Plan and to enable vehicles to enter and leave the site in a forward direction, in the interest of pedestrian and vehicular safety.

- 7** Details of arrangements for storage of refuse and recyclable materials (including means of enclosure for the area concerned where necessary) shall be submitted to and approved in writing by the Local Planning Authority before any part of the development hereby permitted is commenced and the approved arrangements shall be completed before any part of the development hereby permitted is first occupied, and permanently retained thereafter.

Reason: In order to comply with Policy BE1 of the Unitary Development Plan and in order to provide adequate refuse storage facilities in a location which is acceptable from the residential and visual amenity aspects.

- 8** Prior to the commencement of the development hereby permitted a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall include measures of how construction traffic can access the site safely and how potential traffic conflicts can be minimised; the route construction traffic shall follow for arriving at and leaving the site and the hours of operation, but shall not be limited to these. The Construction Management Plan shall be implemented in accordance with the agreed timescale and details.

Reason: In order to comply with Policy T5, T6, T7, T15, T16 & T18 of the Unitary Development Plan and in the interest of the amenities of the adjacent properties.

- 9** Surface water from private land shall not discharge on to the highway. Details of the drainage system for surface water drainage to prevent the discharge of surface water from private land on to the highway shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of works. Before any part of the development hereby permitted is first occupied, the drainage system shall be completed in accordance with the approved details and shall be retained permanently thereafter.

Reason: To reduce the impact of flooding both to and from the proposed development and third parties and to accord with Policy 5.13 of the London Plan.

- 10** Before any part of the development hereby permitted is first occupied, bicycle parking (including covered storage facilities where appropriate) shall be provided at the site in accordance with details to be submitted to and approved in writing by the Local Planning Authority, and the bicycle parking/storage facilities shall be permanently retained thereafter.

Reason: In order to comply with Policy T7 of the Unitary Development Plan and Policy 6.9 of the London Plan and in order to provide adequate bicycle parking facilities at the site in the interest of reducing reliance on private car transport.

- 11** Before the development hereby permitted is first occupied, the first floor window in the west flank elevation of the building shall be fixed shut and obscure glazed in accordance with details to be submitted to and approved in writing by the Local Planning Authority and shall subsequently be permanently retained as such.

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

- 12** Before commencement of the use of the land or building hereby permitted parking spaces and/or garages and turning space shall be completed in accordance with the approved details and thereafter shall be kept available for such use and no permitted development whether permitted by the Town and Country Planning (General Permitted Development) Order

(England) 2015 (or any Order amending, revoking and re-enacting this Order) or not shall be carried out on the land or garages indicated or in such a position as to preclude vehicular access to the said land or garages.

Reason: In order to comply with Policy T3 of the Unitary Development Plan and to avoid development without adequate parking or garage provision, which is likely to lead to parking inconvenient to other road users and would be detrimental to amenities and prejudicial to road safety.

13 No loose materials shall be used for surfacing of the parking and turning area hereby permitted.

Reason: In order to comply with Policy T18 of the Unitary Development Plan and in the interest of pedestrian and vehicular safety.

You are further informed that:

- 1 The applicant is advised that any works associated with the implementation of this permission (including the demolition of any existing buildings or structures) will constitute commencement of development. Further, all pre commencement conditions attached to this permission must be discharged, by way of a written approval in the form of an application to the Planning Authority, before any such works of demolition take place.**
- 2 You should consult the Land Charges and Street Naming/Numbering Section at the Civic Centre on 020 8313 4742 or e-mail: address.management@bromley.gov.uk regarding Street Naming and Numbering. Fees and application forms are available on the Council's website at www.bromley.gov.uk**
- 3 You are advised that this application may be liable for the payment of the Mayoral Community Infrastructure Levy under the Community Infrastructure Levy Regulations (2010) and the Planning Act 2008. The London Borough of Bromley is the Collecting Authority for the Mayor and this Levy is payable on the commencement of development (defined in Part 2, para 7 of the Community Infrastructure Levy Regulations (2010)). It is the responsibility of the owner and /or person(s) who have a material interest in the relevant land to pay the Levy (defined under Part 2, para 4(2) of the Community Infrastructure Levy Regulations (2010)). If you fail to follow the payment procedure, the collecting authority may impose surcharges on this liability, take enforcement action, serve a stop notice to prohibit further development on the site and/or take action to recover the debt. Further information about Community Infrastructure Levy can be found on attached information note and the Bromley website www.bromley.gov.uk/CIL**