

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

**Application No :** 17/00620/FULL6

**Ward:**  
**Plaistow And Sundridge**

**Address :** 36 Avondale Road Bromley BR1 4EP

**OS Grid Ref:** E: 540098 N: 170840

**Applicant :** Mr Ronald Robb

**Objections :** YES

**Description of Development:**

First floor side extension, two storey rear extension and roof alterations to incorporate rooflights.

Key designations:

Biggin Hill Safeguarding Area  
London City Airport Safeguarding  
Smoke Control SCA 7  
Urban Open Space

**Proposal**

The application seeks consent for the construction of a first floor side extension, two-storey rear extension, amendments to the front elevation and roof slope.

**Location**

The property is a two storey (with single garage to side) detached single dwellinghouse located on the northern side of Avondale Road opposite the junction with Quernmore Road.

The surrounding area is dominated by detached and semi-detached, two storey dwellinghouses. The site is neither listed nor located within a conservation area.

**Consultations**

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

- The property has a number of different people living in it and is constantly raided.
- Disturbance from the existing occupants
- Its used as a commercial HMO and the extension would fit more people in the property
- Multiple families use the property and overcrowding
- Rubbish left outside - Vermin and health concerns

- Impact on lighting and privacy
- Overlooking
- Loss of amenity
- The property is not maintained
- Not in keeping with the rest of the street

## **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  
 H8 Residential Extensions  
 H9 Side Space

SPG 1 - General Design Principles  
 SPG 2 - Residential Design Guidance

Draft 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.

Relevant policies:

Policy 6 Residential Extensions  
 Policy 8 Side Extensions  
 Policy 37 General Design of Development

## **Planning History**

07/04153/FULL6 - Single storey front extension/part one/two storey side extension and two storey rear extension. Permission 08.01.2008

08/01474/FULL6 - First floor front extension. Refused 07.07.2008

08/01476/FULL6 - Single storey rear extension. Permission 07.07.2008

14/00968/FULL6 - Roof alterations to incorporate rear dormer, part one/two storey front/side/rear extension and elevational alterations. Refused 27.05.2014

Refused for the following reasons:

1. The proposal by reason of its size, bulk and location would be out of scale and character with the existing dwelling and detrimental to the visual

amenities of the area contrary to Policies BE1 and H8 of the Unitary Development Plan.

2. The proposal would be over-dominant and result in a loss of privacy and outlook and increased sense of enclosure detrimental to the amenities that the occupiers of adjoining properties might reasonably expect to be able continue to enjoy by reason of its location, size, depth of rearward projection and proximity to the flank boundaries of the site contrary to Policies BE1 and H8 of the Unitary Development Plan.

15/02505/FULL6 - Roof alterations to incorporate rear dormer, part one/two storey front/side/rear extension and elevational alteration. Refused 18.08.2015

Refused for the following reasons:

1. The proposed front, side and rear extensions, by reason of their size, bulk and lack of subservience would be out of scale with the existing dwelling, harmful to its character and appearance and contrary to saved policies contrary to Policies BE1 and H8 of the Unitary Development Plan (2006) and Supplementary Planning Guidance No 1 General Design Principles and No 2 Residential Design guidance.

## **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. Consideration should also be given to previous reasons for refusal.

## Design

Policies H8, BE1 and the Council's Supplementary design guidance seek to ensure that new development, including residential extensions are of a high quality design that respect the scale and form of the host dwelling and are compatible with surrounding development.

The current scheme is a revision of an application refused under DC/14/00968 and 15/02505. The applicant has sought to overcome the previous reasons for refusal by amending depth and width of the rear projections, removing the rear dormer, removing one of the proposed front bays and setting the first floor extension back from the front elevation. It is noted that there have been a number of applications for this site, including a lapsed permission for a two-storey side extension relating to this property. In 2008 (07/04153/FULL6) Planning Permission was granted for 'Single storey front extension/part one/two storey side extension and two storey rear extension.'

Within the 2014 application it is observed that the 'the development 'includes a two storey front extension that is not set down from the ridge either rearwards or laterally and thus will appear over dominant, bulky and also top-heavy as opposed to subservient'. Similarly, within the 2015 application it was considered that the

'front/side element would sit above the garage and has not been set back from the front elevation or down at ridge level. A new double height bay window would be installed to the front, which essentially creates a new double fronted property. The above are not considered to be sympathetic or subservient to the host dwelling'.

The current proposal has sought to address these concerns within the regard to the front/side first floor extension, with the removal of a front gable and additional bay window. The first floor side extension has also been set back from the front elevation by 800mm. Whilst the form of the original property would be lost, the amendments to the current application would result in a development which is more subservient and in keeping with the scale of wider development. Avondale Road includes a variety of detached and semi-detached properties with varying architectural treatments; accordingly there is some flexibility in terms of design. The proposal has therefore, on balance, satisfactorily addressed previous objections. The proposal would also comply with the requirements of Policy H9 in that a 1m side space would be provided between the flank elevation of the development and the side boundary.

The proposal would also see the construction of a 3.5m two-storey rear extension. This has been set in from each flank elevation by 0.5m. The crown roof and continuation of the ridge line would still result in bulkier form than the existing property; however the 0.5m set-back would help break up its mass, being more subservient in appearance and the overall the height of the roof is approximately 1.5m lower than the original height at its apex. The dormer on the rear roof slope has now been removed and three roof lights are now proposed. On balance, Members may consider that the above changes to the front/side and rear have overcome previous objections and would be in compliance with Policies BE1 and H8 of the UDP.

### Neighbouring amenity

Policy BE1 seeks to ensure that new development proposals, including residential extensions respect the amenity of occupiers of neighbouring buildings and that their environments are not harmed by noise and disturbance or by inadequate daylight, sunlight or privacy or by overshadowing.

Planning application 07/04153 granted planning permission for the construction of 4m deep rearward extension. The current application seeks permission for a 3.5m depth extension, which has been reduced since the 2014 refusal by approximately 1m. Furthermore, this element of the proposal has also been set back from each side boundary by 1.5m. The rear dormer has also been removed.

The neighbouring property to the east at No 34 benefits from an existing single-storey garage and extension to the rear of the garage. The proposed extension would follow the line of this neighbouring extension and would not project significantly past its rear elevation. It would also be set away from the common boundary by 1m and the rear projection would be set away by 1.5m. The reduction in depth from the 2014 refusal, together with the fact that it has been set in by a further 0.5m and the removal of the rear dormer has reduced the massing of the rear additions. Accordingly of the proposal would not appear significantly dominant

or visually intrusive. No loss of light or significant overshadowing is therefore anticipated due to the reduction in depth, neighbouring development and orientation of the property.

The rear extension would also be set away from the common boundary with No 38 by 1m. This property has been extended by way of a side/rear extension, which partially sits along the common side boundary. There are a number of existing windows within the side elevation; however these already experience a degree of incursion from the existing bulk of the dwelling. The reduction in the depth of the extension from the 2014 refusal, removal of the dormer and 0.5m set-in has lessened the mass of the scheme to a more acceptable degree, especially when talking into account the set back from the boundary and neighbouring development, which partially mitigates the visual impact. No significant loss of light is anticipated due to the orientation of the site, location of the extension in relation to neighbouring development and amendments to the height and width of the rear addition. Concerns have been raised by neighbours regarding overlooking and a loss of privacy as a result of direct views from the upper floors of the extension into the conservatory below. Currently, the existing rear building line is set back from this neighbouring conservatory. There is however an established degree of overlooking from upper floor windows onto the rear gardens. The additional depth of the proposal and proximity with boundary would result in some additional overlooking; however the windows proposed within the upper floors of the side elevations would serve a bathroom and stairwell. These windows could therefore be reasonably conditioned to be obscured and non-opening to protect neighbouring privacy. The additional overlooking is not therefore considered significant enough to warrant a refusal when taking into account the established position.

Concerns have been raised that the property is being used as a HMO. There is no planning history relating to a change of use, however the applicant has applied on the basis that the house is a single-dwelling. It is noted that the scheme would now provide 5 double bedrooms with en-suites. If permission is granted it is considered necessary to include an informative on the decision to notify the applicant that a change of use application would be necessary in the event that the dwelling was being used by more than 6 unrelated individuals

Given the above, Members may consider the impact on the visual amenities of neighbouring properties would be acceptable.

Background papers referred to during production of this report comprise all correspondence on the file ref(s) 17/00620 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 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.**

- 4 Before the development hereby permitted is first occupied the proposed window first floor east and west facing elevations shall be obscure glazed to a minimum of Pilkington privacy Level 3 and shall be non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed and the window (s) shall subsequently be permanently retained in accordance as such.

**Reason: In the interests of the amenities of nearby residential properties and to accord with Policies BE1 and H8 of the Unitary Development Plan**

**You are further informed that:**

- 1 The applicant is advised that if the dwelling is to be used by more than 6 unrelated people then a full planning application would be required for a change of use.
- 2 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](http://www.bromley.gov.uk/CIL)**