

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

**Application No :** 17/01711/FULL6

**Ward:**  
**Shortlands**

**Address :** 39 Hayes Way Beckenham BR3 6RJ

**OS Grid Ref:** E: 538458 N: 168506

**Applicant :** Mrs M Brown

**Objections :** YES

**Description of Development:**

Part one/two storey side and rear extension to include first floor side dormer.

Key designations:

Conservation Area: Park Langley

Biggin Hill Safeguarding Area

London City Airport Safeguarding

Open Space Deficiency

Smoke Control SCA 21

Smoke Control SCA 9

**Proposal**

The application seeks consent for the construction of a part one/two-storey side and rear extension, including first floor side dormer.

The proposed two-storey rear extension would measure 5.6m in depth at ground floor level and 4.2m at first floor level. The proposed single-storey side extension would be located to the east side of the property. It would span to almost the full depth of the dwelling and would incorporate a pitched roof with a maximum height of 3.5m and an eaves height of 2.35m.

A dormer is proposed on the western roof slope.

**Location**

The application relates to a two-storey detached residential dwelling, which is located on the north side of Hayes Way. It benefits from off-street parking and a large rear garden. The surrounding area is residential in character and the property is located within the Park Langley Conservation Area. There is a tree located to the front of the property, which is subject to a Tree Preservation Order.

**Consultations**

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

- The neighbouring property at No 37 has a north facing and is situated on a lower ground level. This property has been extended by way of a 4m ground floor and 3m first floor rear extension.
- The proposed projection is too deep.
- Overbearing impact on neighbouring house, resulting in loss of view and light
- Loss of outlook
- The extension to the dormer in length and width and to build up to No 41's boundary line is too large in scale, disproportionate to neighbouring properties.
- Loss of light to west side of No 37 from the rear projection and bulky dormer. Resulting in a small tunnel of light to neighbouring bedroom, bathroom, hallway and kitchen windows.
- Not in keeping with other extensions due to its size within the Conservation Area. Does not adhere to guidelines on Bromley's Planning Portal. Adverse effect on the character and appearance of the area.
- Would set a precedent.

## **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  
 BE11 Conservation Areas  
 H8 Residential Extensions  
 H9 Side Space

Supplementary Planning Guidance  
 No 1 General Design Principles  
 No 2 Residential Design Guidance

Park Langley Conservation Area SPG

### 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 37 General Design of Development  
 Policy 41 Conservation Areas

## **Planning History**

14/01597/FULL6 - Single storey side extension, alterations to front elevation and conversion of garage to habitable accommodation and outbuilding to rear.  
Permission granted on the 17.06.2014

## **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.

The existing dwelling is a modest sized detached property, which is set within a residential street. The area is characterised by detached residential dwellings within generous plots, set back from the highway. The architectural language is varied and there is evidence of dwellings which have been extended at the rear. The proposed extension would also be contained primarily to the rear. The principle of two-storey rear extensions has been established with neighbouring examples, including the immediate property at No 37 Hayes Way.

The overall depth of the rear projections are considered to be deep and they are marginally larger than neighbouring examples. However, the overall form of the original building would be retained. The design includes a steeply sloping cat-slide roof with pitched rear gable. This design respects the appearance of the original property and whilst the extensions are deep, they would not appear overly bulky or out of proportion with the host dwelling or site in general. The use of matching materials would also be a sympathetic design approach. The dormer extension on the side facing roof slope is not overly large and would not dominate the existing slope. It is set back from the eaves and ridge lines and would not be significantly prominent. The extensions would not therefore result in significant harm to the host dwelling or area in general and no objections have been received from the Council's Conservation Officer. The development would therefore preserve the character and appearance of the Conservation Area.

In relation to neighbouring amenity the main impact would be on adjoining neighbours.

No 37 is located to the west of the application site and has been extended by way of a part one/two-storey rear extension. This property is located at a slightly lower ground level and has a number of windows within the side elevation, which directly face the development site. These windows appear to either serve non-habitable rooms, such as a stairwell, or are secondary in nature. The proposal would extend marginally beyond the neighbouring first floor addition, however it has been design to include a cat-slide roof immediately adjacent to the common side boundary. The whole development has been set back from this boundary by approximately 700mm. Whilst it is clear there would be some impact on the neighbouring residential amenities as a result of the depth of the extension, the overall form of the proposal and use of a cat-slide roof reduces its visual bulk. The roof pitches away from the boundary and the neighbouring two-storey development

would prevent the extensions appearing overbearing or any unacceptable sense of enclosure. There may be some overshadowing during the morning hours, however this is not considered sufficient grounds to withhold planning permission given the existing orientation and neighbouring development.

A dormer extension is proposed on the side facing roof slope and would sit directly opposite the flank of No 37. The existing dormer currently includes two windows, which serve bedrooms. This dormer would be extended and would now include a number of windows which would serve a walk-in dressing room and bathrooms. A further window (which previously served the existing bedroom) would be retained. Accordingly, it is considered reasonable to condition the new windows within the dormer to be obscured glazed and non-opening in order to protect neighbouring privacy.

No 41 is located to the east of the application site. This property has not been extended at the rear and there are no windows in the side elevation. There is an existing single-storey store at the application property, which abuts the common side boundary and projects for a depth of around 4.5m beyond the neighbouring rear elevation. There is also an existing side extension between the two dwellings which would be rebuilt.

The proposed ground floor side/rear extension would also abut the common side boundary; however it would not extend significantly beyond the line of the existing store. The first floor rear element would have a depth of 4.2m, however due to the rear building line of No 41 being set slightly forward of the application property, the proposed first floor element would only project approximately 3.2m beyond its rear elevation. This would also be set back from the boundary by around 1.5m. The applicant has highlighted that the 45 degree splay would not be breached by the first floor addition. The depth of the extension would have some impact on the visual amenities of No 41, however this is somewhat mitigated by the generous size and width of the gardens, which would prevent any unacceptable sense of enclosure. The depth of the built development on the boundary has been established and whilst the proposal would be higher, this is not considered to be significantly harmful. Given the relationship between the properties and generous size of the gardens it is considered that the proposal would, on balance, not result in a significantly dominant or overbearing form of development. There may be some overshadowing during the afternoon hours, however this is not considered to be sufficient grounds to withhold permission.

In relation to privacy the scheme would include a number of windows within the flank elevation at first floor level. This would include primary windows to a bedroom, a secondary window to a bedroom and a window to a stairwell. The existing property included a bedroom and primary window within the side elevation. The applicant has proposed to obscure the proposed windows within the side facing elevation, which would prevent any unacceptable loss of privacy beyond the current arrangement.

Having had regard to the above it was 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.

**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(s) in the dormer extension and east elevation 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**