

## **SECTION '2' – Applications meriting special consideration**

**Application No :** 17/03540/FULL1

**Ward:**  
**Hayes And Coney Hall**

**Address :** Southerly Warren Road Hayes Bromley  
BR2 7AN

**OS Grid Ref:** E: 540302 N: 165862

**Applicant :** Mr Robert Cummins

**Objections :** YES

### **Description of Development:**

Single storey front extension, part one/part two storey side and rear and first floor front extension

### **Key designations:**

Smoke Control SCA 51

### **Proposal**

Planning permission is sought for a single storey front extension, part one/part two storey side and rear and first floor front extension

### **Location**

The application site is a detached two storey dwelling on the northern side of Warren Road, Hayes. The site is accessed via a service road from Warren Road. This part of Warren Road is characterised by detached dwellings ranging in design and scale. Both neighbouring properties are bungalows, known as Pax to the west, and Howards to the east.

Land to the south of the site (opposite) is in the Green Belt, a Site of Interest for Nature Conservation, and Bromley, Hayes and Keston Commons Conservation Area.

### **Consultations**

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

- o The proposal would change the street scene greatly
- o The neighbouring bungalow Pax has three side windows facing the application site, two small ones in the lounge and one in the kitchen. These would be affected by the planning as light would be restricted.
- o The application site is higher than the neighbouring bungalow
- o Massive extension doubling the size of the existing property which would be detrimental to the character and appearance of the host dwelling and will dominate the road.
- o Serious impact on both neighbouring bungalows
- o The side extension will effect the outlook, sunlight and daylight to the neighbouring bungalow Howards which have four windows and two doors on this elevation.
- o Overshadowing

The full text of comments is on file and online.

### **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

The Council is preparing a Local Plan. The submission of the Draft Local Plan was made to Secretary of State on 11th August 2017. These documents are a material consideration. The weight attached to the draft policies increases as the Local Plan process advances.

Draft Policy 6 Residential Extensions  
Draft Policy 37 General Design of Development

### **Relevant planning history**

Under ref: 15/02114/FULL6 planning permission was refused for a part one/two storey front/side and rear extensions, for the following reasons;

1 The proposal by reason of its design, bulk and mass would be an over dominant form of development that would be detrimental to the character and appearance of the host dwelling and surrounding streetscene, contrary to Policies BE1 and H8 of the UDP.

2 The proposal by reason of its overall bulk and mass would be an overbearing form of development, detrimental to the outlook of the occupants of the adjacent bungalow, Howards, contrary to Policy BE1 of the UDP."

This application was dismissed at appeal.

Planning permission was refused for a part one/two storey front, side and rear extensions under reference 16/03274/FULL1. However, this application was refused for the following reason;

The proposal by reason of its design, bulk and mass would be an overdominant form of development that would be detrimental to the character and appearance of the host dwelling and surrounding streetscene, contrary to Policies BE1 and H8 of the UDP.

### **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 and whether this application overcomes the previous reasons for refusal.

#### Impact upon character and appearance of the street scene

As outlined in the planning history section above, two applications have been refused at this site and two appeals have been dismissed in relation to the impact of the proposed extension upon the character of the area.

In relation to the first application, ref 15/02114/FULL6, the Appeal Inspector stated "The host dwelling would be extended to the side at first floor level towards Howards with a full length single storey projection at the front, significantly adding to the horizontal mass. At each end there would be first floor hipped roof projections, extending 2.6m from the existing front wall at this level. These would be in fairly close proximity to the adjacent dwellings resulting in an unacceptable contrast in bulk at this height". The Inspector went on further to say "Such significant enlargement would result in Southerly appearing unacceptably dominant in relation to the appreciably more modest presence of the

adjacent bungalows, giving rise to an incongruous and discordant juxtaposition of scale and bulk. The resultant appearance of the host dwelling would be acceptable in itself but not in relation to its surroundings, so that the streetscene would be harmed".

Subsequently, a planning application (ref: 16/03274/FULL1) was submitted which proposed a revised scheme to include Part one/two storey front, side and rear extensions.

The application was also dismissed at appeal, with the Appeal Inspector stating 'The first floor extension to the front has been reduced by approximately 1.7m to 0.9m in comparison to the previous proposal. In addition, the line of the first floor projection coincides with the front wall of Pax to the west. Consequently, I consider that the appeal proposal would not appear unduly dominant in relation to the adjacent bungalow, Pax.

However, notwithstanding the proposed set back, the proposal would result in a significant extension to the side at first floor level towards Howards, the bungalow to the east. There is currently a considerable gap at first floor level between the appeal property and Howards which allows for views over the existing single-storey garage to the trees to the rear which contributes to the spacious character of the area. The proposed extension would result in an unacceptable contrast in bulk at first floor level and would appear dominant in relation to the adjacent bungalow, Howards.

Taking these factors in combination, I consider that the proposal would be an incongruous addition at odds with the spacious character of the area. Consequently, I do not consider that the proposal has altered sufficiently to reach a different conclusion to my colleague'.

This revised application now shows that the first floor extension to the eastern side has been reduced in width to the front by 1.28m to bring it in line with the remainder of the extension, and set back behind the first floor front elevation of the existing dwelling by 1m (a reduction of 1.9m in length from the previously refused application ref: 16/03274). The roof of the property and proposed extensions to both the eastern and western sides has also been amended from a gable end design with partial hip to a fully hipped roof. The proposed extension to the eastern side would still bring the first floor of the dwelling 2.6m closer to the neighbouring property at Howards, reducing the existing separation between the dwellings at this level. However, the set back from the front and reduction in width at the front would result in a more subservient addition to the host dwelling. Furthermore, this reduction in length and width, along with the hipped roof design, would reduce the bulk and scale of the extension, and in turn result in a greater degree of separation between the proposed extension and Howards to the east than both the previously refused schemes.

On balance, the proposed extension is now considered to have overcome the previous reasons for refusal and is not considered to be so detrimental to the character and appearance of the host dwelling or the wider street scene to warrant refusal.

#### Impact upon neighbouring amenity

Planning application 15/02114/FULL6 was also refused in relation to the overbearing impact upon the adjacent bungalow, Howard. However whilst the appeal decision agreed with the Council that there would inevitably be some effect on the outlook and light levels in relation to the existing side windows at Howard, it went on to say that the majority of the first floor part of the enlarged dwelling would be about 2.6m from the boundary with Howards, and this along with the hipped ends of the first floor, was considered to mitigate the impact on this neighbouring dwelling and as such the Appeal Inspector did not consider that there would be any unacceptable harm to the living conditions of this neighbouring property as to warrant refusal on this basis.

The following application under reference 16/03274/FULL, was therefore not refused on neighbouring amenity.

This revised application has been substantially decreased in size and is therefore not considered to cause such detriment to the amenities of property as to warrant refusal.

Having had regard to the above, Members may consider on balance that the development in the manner proposed is acceptable in that it has overcome the previous reasons for refusal, by not having a detrimental impact upon the character and appearance of the street scene and would not result in a significant loss of amenity to local residents.

Background papers referred to during production of this report comprise all correspondence on the file ref(s) 17/003540/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 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 No windows or doors additional to those shown on the permitted drawing(s) shall at any time be inserted in the side elevation(s) of the extensions hereby permitted, without the prior approval in writing of the Local Planning Authority.**

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

- 5 The flat roof area of the extensions shall not be used as a balcony or sitting out area and there shall be no access to the roof area.**

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