

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

**Application No :** 17/04504/FULL6

**Ward:**  
**Bromley Common And Keston**

**Address :** Rivendell 26 Forest Drive Keston BR2 6EF

**OS Grid Ref:** E: 542289 N: 164517

**Applicant :** Mrs Patricia Williams

**Objections : NO**

### **Description of Development:**

Two storey front extension with habitable accommodation in roof space incorporating two side dormers and rooflight to side roof slope and single storey rear extension

### **Key designations:**

Conservation Area: Keston Park  
Biggin Hill Safeguarding Area  
London City Airport Safeguarding  
River Centre Line  
Smoke Control SCA 14

### **Proposal**

The application seeks planning permission for a two storey front extension with habitable accommodation in roof space incorporating two side dormers and rooflight to side roof slope and single storey rear extension.

The existing front projection at the property is proposed to be enlarged from a single storey structure with pitched roof and small side dormer to a full two storey extension with a front gable end roof to match the height of the existing roof and side dormers within both the eastern and western roof slopes. The extension will also include a 1.2m two storey addition to the front of this existing single storey front projection.

At present the existing single storey structure includes a cinema room at ground floor with a small guest bedroom above served by the small side dormer within the eastern roof slope. The proposed extension will result in the ground floor being converted back into a garage (as shown on the plans for the original construction of the dwelling) with the extended section providing a store and an entrance door with internal stairway to a kitchen/lounge/dining room at first floor. The roof space of the extension which is also served by dormers in the eastern and western roof slopes and a rooflight in the western roof slope will provide a bedroom with bathroom which will also be accessed directly from the new extension.

The proposed single storey rear extension will project 8.8m to the rear of the western side of the dwelling adjacent to the boundary with no. 24. It will extend for a width of 6.36m to project 0.95m beyond the western flank wall of the existing dwelling maintaining a separation of between 1.1m and 1.3m to the western side boundary. It will have a flat roof to a height of approximately 2.9m, when scaled from the submitted drawings, with two rooflights above, and will provide a summer lounge with hot tub served by glazed doors in the eastern side and rear elevations. The existing first floor balcony which sits above the proposed extension is also shown to be enlarged by approximately 0.8m in depth.

The application form states that the extensions will be finished with brickwork, render and timber cladding, with a clay tiled roof and GRP flat roof and white and grey aluminium windows.

## **Location and Key Constraints**

The application site comprises a large two storey detached residential dwellinghouse on the southern side of Forest Drive, Keston. The property is located within the Keston Park Conservation Area.

## **Consultations**

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

Any further comments received will be reported verbally at the meeting.

## **Consultee Comments**

The Council's Conservation Officer has stated that whilst there is already a single storey garage projection in the front garden, this proposal will be a far more dominant element in the streetscene in a way that could be harmful.

The Council's Tree Officer has advised that the site is within a Conservation Area and there is a Tree Preservation Order (TPO) within boundary of the property. The proposals consist of two separate extensions to the north and south of the property. The extension to the north is likely to encroach into the Root Protection Area (RPA) of the trees protected under TPO. No information has been provided with the application to show root damage will not occur, therefore it is recommended that the application is refused.

The Advisory Panel for Conservation Areas (APCA) did not inspect the application.

## **Planning Considerations**

### **Policy Context**

Section 70(2) of the Town and Country Planning Act 1990 (as amended) sets out that in considering and determining applications for planning permission the local planning authority must have regard to:-

- (a) the provisions of the development plan, so far as material to the application,
- (b) any local finance considerations, so far as material to the application, and
- (c) any other material considerations.

Section 38 (6) of the Planning and Compulsory Purchase Act (2004) makes it clear that any determination under the planning acts must be made in accordance with the development plan unless material considerations indicate otherwise.

According to paragraph 216 of the NPPF decision takers can also give weight to relevant policies in emerging plans according to:

- o The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- o The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- o The degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF, the greater the weight that may be given).

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.

The development plan for Bromley comprises the Bromley UDP (July 2006), the London Plan (March 2016) and the Emerging Local Plan (2016). The NPPF does not change the legal status of the development plan.

The application falls to be determined in accordance with the following policies:

#### London Plan Policies

7.4 Local character

7.6 Architecture

7.8 Heritage Assets and Archaeology

#### Unitary Development Plan

H8 Residential Extensions

H9 Side Space

BE1 Design of New Development

BE11 Conservation Areas

BE14 Trees in Conservation Areas

NE7 Development and Trees

#### Draft Local Plan

6 Residential Extensions

8 Side Space

37 General Design of Development

41 Conservation Areas

43 Trees in Conservation Areas

73 Development and Trees

#### Supplementary Planning Guidance

Supplementary Planning Guidance 1 General Design Principles

Supplementary Planning Guidance 2 Residential Design Guidance

Supplementary Planning Guidance Keston Park Conservation Area

The National Planning Policy Framework (NPPF) is also a material consideration.

#### **Planning History**

The application property, as currently exists, was constructed following the grant of conservation area consent for the demolition of the existing dwelling and garage under ref: 04/00776/CAC, and a grant of planning permission under ref: 04/00775/FULL1 for a new Two storey five bedroom detached house with integral double garage and including part basement accommodation.

Under ref: 05/03537/FULL6, planning permission was granted for 3 air conditioning units at ground level adjacent to flank elevations.

Under ref: 17/00122/FULL6, planning permission was refused for a two storey front extension with habitable accommodation in roof space incorporating two side dormers and rooflight to side roof slope and single storey rear extension for the following reasons;

- "1 The proposed front extension, by reason of its forward projection, siting, height, design and scale, would result in an overly dominant and bulky addition to the host dwelling, which would fail to respect the scale and form of the surrounding area, giving rise to a detrimental impact on both the visual amenities of the streetscene and the amenities of the neighbouring dwelling at no. 24, and would be significantly harmful to the character and appearance of the Keston Park Conservation Area within which it lies. The proposal would therefore be contrary to Policies H8, BE1 and BE11 of the Bromley Unitary Development Plan, as well as the Keston Park Conservation Area SPG and Policies 7.4 and 7.8 of the London Plan and the overarching aims and objectives of the NPPF.
- 2 The application fails to address the tree constraints associated with the proposals and, in the absence of evidence to the contrary, the development would prejudice the retention and wellbeing of a number of trees which are protected by a Tree Preservation Order and by the sites location within the Keston Park Conservation Area, therefore contrary to Policies NE7 and BE14 of the Unitary Development Plan."

### **Conclusions**

The main issues relating to the application are the effect that it would have on the character and appearance of the host dwelling and the area in general, with particular regard to its location within the Keston Park Conservation Area, as well as the impact that it would have on the amenities of the occupants of surrounding residential properties.

The proposed application is almost identical to that previously refused under ref: 17/00122/FULL6. The only change to the proposal is that the two storey extension forward of the existing single storey front section has been reduced in depth by 0.94m. The remainder of the application is as previously proposed.

As outlined within the Planning History section of the report above, this previous application, ref: 17/00122/FULL6, was refused as the proposed front extension, by reason of its forward projection, siting, height, design and scale, would result in an overly dominant and bulky addition to the host dwelling, which would fail to respect the scale and form of the surrounding area, giving rise to a detrimental impact on both the visual amenities of the streetscene and the amenities of the neighbouring dwelling at no. 24, and would be significantly harmful to the character and appearance of the Keston Park Conservation Area within which it lies.

In addition, this previous application failed to address the tree constraints associated with the proposals and, in the absence of evidence to the contrary, the application was also refused as the development would prejudice the retention and wellbeing of a number of trees which are protected by a Tree Preservation Order and by the sites location within the Keston Park Conservation Area.

### **Character and Appearance**

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. Policy BE11 also seeks to ensure that developments within conservation areas will preserve or enhance the character and appearance of the conservation area by respecting or complimenting the layout, scale, form and materials of existing buildings.

Policy 7.4 of the London Plan seeks that buildings should provide a high quality design that has regard to the pattern and grain of the existing spaces and streets in orientation, scale, proportion and mass and contributes positively to the character of the area. In

addition, Policy 7.8 of the London Plan states that development affecting heritage assets and their settings should conserve their significance, by being sympathetic to their form, scale, materials and architectural detail. Consistent with this the National Planning Policy Framework (NPPF) states that new development should reflect the identity of local surroundings and add to the overall quality of the area.

The property is located within the Keston Park Conservation Area. Paragraph 3.2 of the Keston Park Conservation Area SPG states that; "the Council will expect all proposals for new development to conform with the highly dispersed and wooded character of the conservation area, and with the approach taken by surrounding dwellings, especially in regard to the scale and height of construction, location with a plot (where material), design and materials used. It is hoped that all improvement works will take account of the character of original buildings and alter them as little as possible".

It is acknowledged that in 2004, the property was demolished and replaced with a new dwelling. This included a single storey attached garage which projects forward of the main dwelling, with a small side dormer in the pitched roof providing a guest bedroom within the roof space. This existing single storey projection, whilst including a small first floor component, provides a subservient element to the main dwelling. In addition, due to the existing front boundary hedge, only the roof of this existing single storey structure is visible from the streetscene.

The two storey front extension proposed under this current application includes an additional 1.2m to the front and an increase to the height of the existing single storey structure to create a first floor extension, with an enlarged pitched roof with front gable end and side dormers with a room in the roofspace. This differs from the previously refused application only in that the forward projection has been reduced by 0.94m

Paragraph 4.46 of Policy H8, states that proposals for forward extensions to detached houses should have particular regard to the relationship to neighbouring buildings and to the effect on the street scene. As was considered with the previously refused application, the main front building of the application dwelling sits behind the main front building line of many of the neighbouring dwellings within Forest Drive to the west, whilst the neighbouring dwellings to the east on Forest Ridge sit on a slightly different line due to the curvature of the road. However, the front of the existing single storey element of the application dwelling does sit in line with the front of many of the neighbouring dwellings to the west, and sits slightly further forward than the front of the main dwelling immediately to the west at no. 24 (although it is noted that there is a single storey detached building within the front garden of no. 24 which lies adjacent to the application dwelling). Therefore, the additional 1.2m front extension will result in an extension which is further forward than the predominant building line of this section of Forest Drive and much further forward than the main dwelling of the immediate neighbour at no. 24.

In addition, it is considered that the reduction in the forward projection does little to reduce the overall scale and massing of the proposed front extension which would still include the substantial first floor addition and two side dormers. The excessive scale and massing of the proposed front extension, along with its prominent siting, is considered to result in a much more bulky addition than the existing single storey structure which would fail to be subservient to the host property and would be visually dominant within the streetscene.

The limited alteration to the proposed front extension from that proposed under ref: 17/00122/FULL6 is not considered to overcome the previous reason for refusal in this respect. Accordingly, the forward projection, siting, height, design and scale of the proposed front extension is still considered to result in an overly dominant and bulky

addition to the host dwelling, which would fail to preserve or enhance the Keston Park Conservation Area and would be detrimental to the visual amenities of the streetscene.

Notwithstanding the above, the accommodation within the proposed extension appears to provide annex accommodation (although justification or details have been provided by the applicant in this respect). The proposed extension includes a kitchen with lounge and dining area at first floor with a bedroom with en-suite at second floor within the roofspace. There is only one access point to the proposed extension from the main house via a small corridor from the lounge/dining area. The lounge/dining room also leads to a bathroom within the existing dwelling which will be severed to prevent access from the main house. A separate entrance door is proposed within the eastern side elevation of the extension which will lead to an internal stairway providing direct access to the first floor reception room and second floor bedroom.

Paragraph 4.47 of the UDP seeks to ensure that extensions are designed to form an integral part of the main dwelling, as the severance of extensions to form separate self-contained units, "can result in the creation of substandard accommodation with inadequate privacy, access provision, parking and amenity space. Such accommodation is likely to be out of scale and character with the surrounding area and detrimental to residential amenity".

It is clear that whilst there would be some internal access between the proposed extension and the main dwelling, the new accommodation provided by the proposed extension could be severed to provide a self-contained unit. Accordingly, to prevent the proposed extension being severed in this way, it would be considered reasonable to place a condition on any approval to ensure that it restricts occupancy to members of the main dwelling's household only.

The proposed single storey rear extension will project 8.8m in depth with a flat roof to a height of approximately 2.9m. Whilst it will extend approximately 1m beyond the side wall of the existing dwelling, it would primarily be located to the rear and would not be visible from the streetscene and wider conservation area and thus not appear significantly obtrusive. Furthermore, although the extension is substantial in depth, it would not extend the full width of the dwelling and would have a modest flat roof, so as to maintain subservience to the main property. In addition, the host plot is generous and accordingly the spatial standards and qualities of the area may not be compromised.

#### Impact on neighbouring amenity

Policy BE1 also 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 loss of outlook or overshadowing. This is supported by Policy 7.6 of the London Plan and paragraph 17 of the NPPF.

As well as the impact on the character and appearance of the streetscene and Keston Park Conservation Area, the previous application (ref: 17/00122) was refused due to its impact on the amenities of the neighbouring dwelling at no. 24, as the forward projection, siting, height and bulk of the proposed front extension was considered to give rise to an overbearing sense of enclosure and loss of outlook to the front facing windows of this neighbouring dwelling.

The front extension now proposed under this current application would still result in an increase in both the forward projection and height of the property adjacent to no. 24. The existing single storey structure to the front of the dwelling, which is proposed to be extended, already sits further forward than the front of the neighbouring dwelling at no. 24.

However, there is a single storey detached building within the front garden of no. 24 which lies adjacent to the application dwelling and this along with the existing vegetation along the common boundary helps to screen the existing single storey structure.

As was the case with the previously refused application, the proposed two storey front extension will result in a substantial increase in bulk to this part of the dwelling with the addition of a 1.2m extension to the front as well as a first floor extension with front gable end roof and side dormers which will match the height of the main dwelling. This increase in bulk and height, along with the proximity to the neighbouring dwelling at no. 24 and the existing relationship between these dwellings, would significantly impact upon the visual amenities that this neighbouring dwelling currently enjoys, giving rise to an overbearing sense of enclosure and loss of outlook to the front facing windows. As such, the two storey front extension proposed under this current application is not considered to have overcome the previous reason for refusal in respect of the harmful impact on the amenities of this neighbouring dwelling.

The proposed side dormer window within the western roof slope of the extension would face directly towards the side boundary shared with no. 24. However, the window is shown to be obscure glazed which would help safeguard the privacy of both the host dwelling and neighbouring property, and as the proposed bedroom would also be served by a window within the dormer to the eastern roof slope, it could be required by condition to also be non-opening so as to further prevent a loss of privacy and as such this matter is not considered to warrant a refusal of planning. Given the location of the front extension to the western side, there is not considered to be any undue loss of amenity to the neighbouring dwelling to the east at no. 2 Forest Ridge.

The proposed single storey rear extension will result in the increase in a considerable depth of the property at ground floor adjacent to the boundary with no. 24. However, it will be located a minimum of 1m from the common boundary and will have a flat roof to a height of only approximately 2.9m. Due to the siting of the existing dwellings, the rear elevation of the application dwelling is located much further to the rear of the neighbouring dwelling at no. 24. Furthermore, the neighbouring dwelling at no. 24 benefits from a large rear garden which is substantial in both width and depth, and a number of mature trees and hedges lie along the common boundary providing screening between the dwellings. Therefore, taking this all account, the proposed single storey rear extension is not considered to result in any significant harm to the amenities of this neighbouring dwelling.

The existing first floor balcony which sits above the proposed extension is shown to be enlarged by 0.8m in depth. Given the presence of an existing balcony in this location and the relationship with the neighbouring dwelling at no. 24, the enlarged balcony is not considered to result in any additional overlooking or impact to the amenities of this neighbouring dwelling than currently exists.

### Trees

There are a number of trees on the site located close to the proposed extensions, some of which are protected by a TPO and others which will still be afforded protection due to the location with a conservation area. The previous application ref: 17/00122/FULL6 made no reference as to the impact of the proposal on these nearby trees. The application failed to address the tree constraints associated with the proposal and as such this formed the basis of one of the refusal grounds in relation to this previous application (ref: 17/00122/FULL6).

Reference is made within the application form for this current application to a recent tree works application made under ref: 17/02667/TPO "To cut back overhanging branches from a selection of trees on boundary by 1.5m from the building SUBJECT TO TPO 2022 (A1)".

However, no further details as to the impact of the proposal on nearby trees have been provided.

The Council's Tree Officer has advised that the application still fails to address the tree constraints associated with the proposals in respect of the likely encroachment of the front extension into the Root Protection Area (RPA) of the trees protected under TPO. As such the application fails to overcome this previous reason for refusal, and subsequently conflicts with Policies NE7 and BE14 of the Unitary Development Plan an.

#### Summary

Having had regard to the above, Members may consider that the development in the manner proposed is not acceptable in that the proposed two storey front extension would result in an overly dominant and bulky addition to the host dwelling, which would fail to respect the scale and form of the surrounding area giving rise to a detrimental impact on both the visual amenities of the streetscene and the amenities of the neighbouring dwelling at no. 24, and would fail to either preserve or enhance the character and appearance of the Keston Park Conservation Area within which it lies.

The proposal would therefore be contrary to Policies H8, BE1 and BE11 of the Bromley Unitary Development Plan, as well as the Keston Park Conservation Area SPG and Policies 7.4, 7.6 and 7.8 of the London Plan and the overarching aims and objectives of the NPPF. The proposal also fails to address the tree constraints associated with the proposals and conflicts with policies NE7 and BE14 of the Bromley Unitary Development Plan.

Background papers referred to during production of this report comprise all correspondence set out in the Planning History section above, excluding exempt information.

#### **RECOMMENDATION: APPLICATION BE REFUSED**

**The reasons for refusal are:**

- 1 The proposed two storey front extension, by reason of its forward projection, siting, height, design and scale, would result in an overly dominant and bulky addition to the host dwelling, which would fail to respect the scale and form of the surrounding area, giving rise to a detrimental impact on both the visual amenities of the streetscene and the amenities of the neighbouring dwelling at no. 24, and would be significantly harmful to the character and appearance of the Keston Park Conservation Area within which it lies. The proposal would therefore be contrary to Policies H8, BE1 and BE11 of the Bromley Unitary Development Plan, Policies 6, 37 and 41 of the Draft Local Plan (2016), as well as the Keston Park Conservation Area SPG and Policies 7.4, 7.6 and 7.8 of the London Plan and the overarching aims and objectives of the NPPF.**
- 2 The application fails to address the tree constraints associated with the proposals and, in the absence of evidence to the contrary, the development would prejudice the retention and well-being of a number of trees which are protected by a Tree Preservation Order and by the sites location within the Keston Park Conservation Area, therefore contrary to Policies NE7 and BE14 of the Unitary Development Plan and Policies 43 and 73 of the Draft Local Plan.**



