

## **SECTION '3' – Applications recommended for permission, approval or consent**

**Application No :** 17/04144/FULL1

**Ward:**  
Hayes And Coney Hall

**Address :** 14 Kechill Gardens Hayes Bromley BR2  
7NQ

**OS Grid Ref:** E: 540375 N: 166607

**Applicant :** Guy Pleasance

**Objections : YES**

**Description of Development:**  
Rear basement extension

### **Key designations:**

Biggin Hill Safeguarding Area  
London City Airport Safeguarding  
Open Space Deficiency  
Smoke Control SCA 51

### **Proposal**

Planning permission is sought for a proposed rear basement extension. The proposed basement will have a total length of approximately 7.7m (including the element under the existing house), extending beyond the house by 4.9m, a width of 8.9m; 2.5m below floor level. According to the submitted plans the basement will not be visible above ground level. The applicant has provided a short supporting statement outlining that the proposal will provide additional accommodation for music equipment for the family (this is on the file to view).

The application site is a two storey semi-detached property located on the south side of Kechill Gardens, Hayes. The application site does not fall within a Flood Zone 2 or 3, nor is it situated close to a river culvert.

### **Consultations**

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

- o We have concerns at how far the extension will stretch towards our garden and what possible effects it could cause with regards to flooding and subsidence
- o We understand that water runs underneath properties in Chatham Avenue
- o Due to the fact that the ground in my rear garden is sodden or under water for extended periods every winter I am concerned that the proposed basement will cause subsidence or some other adverse effect on my property
- o The proposed basement might increase the current flood risk and thus pose a risk to the neighbouring properties
- o I believe a formal flood risk assessment is carried out by an appropriate professional
- o My concern is that the proposed basement and subsequent foundations might affect the underground running water which is known to be present in the vicinity of the properties, this in turn might compromise the existing foundations of both properties
- o I request a construction method statement is prepared by an appropriate professional to ensure that identified risks are addressed

- o The applicant's drawing shows that the top of the basement structure would be at the same level as the existing ground floor level of the property
- o This existing ground floor level is significantly higher than the existing level of the land at the rear of the property and thus the proposed basement would be visible above the ground

### **Consultee Comments**

Environmental Health Pollution: No Objection

Drainage: No Objection

### **Planning Considerations**

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

National Planning Policy Framework:

Chapter 7- Requiring Good Design

London Plan:

Policy 7.4 Local character

Policy 7.6 Architecture

Unitary Development Plan:

BE1 Design of New Development

H8 Residential Extensions

SPG1 General Design Guidance

SPG2 Residential Design Guidance

According to paragraph 216 of the NPPF decision takers can also give weight to relevant policies in emerging plans according to: The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given); 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 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). As set out in paragraph 216 of the National Planning Policy Framework, emerging plans gain weight as they move through the plan making process.

The following emerging plans are relevant to this application.

Draft Local Plan:

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

## Planning History

00/02425/FULL1-Two storey side extension- Application Permitted- Date issued- 04.10.2000

04/01796/FULL6-Gable end and rear dormers incorporating rear balcony- Application Refused- Date issued-12.07.2004

15/02151/FULL6-Roof alterations to incorporate rear dormers with juliet balcony and single storey rear extension- Application Permitted- Date issued-02.09.2015

17/00472/FULL1-Single storey rear extension.-Application Refused- Date issued- 18.04.2017

17/03938/FULL1-Single storey rear extension.- Application Refused- Date issued- 31.10.2017

## **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.

## **Design**

Both national and local planning policies recognise the importance of local distinctiveness in ensuring an effective planning system which achieves favourable design. Paragraph 60 of the NPPF states that it is proper to seek to promote or reinforce local distinctiveness, whilst paragraph 61 refers to the fact that although visual appearance and architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations. Similarly, policies BE1 and H8 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. Whilst London Plan Policies 7.4 and 7.6 seek to enhance local context and character, as well as encouraging high quality design in assessing the overall acceptability of a proposal.

As stated above, the submitted plans indicate that the rear basement will not be visible above ground level; as such, the development is not anticipated to have a detrimental impact on the appearance of the host dwelling, street scene or locality. Therefore, Members may agree that the proposal is not considered to be contrary to the policy guidance outlined above.

## **Impact on Residential 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. This is supported by Policy 7.6 of the London Plan.

No loss of amenity by way of visual outlook, prospect or overlooking is foreseen. The rear basement would be constructed below ground floor level, thus there would be no impact to adjoining neighbouring properties.

## **Other Matters**

Objections received from adjoining neighbouring properties raise concern in regards to the construction of the rear basement and possible flood risk issues arising from the development.

Whilst the construction of the development is not a planning matter, if Members are minded to approve the application a 'basement construction management statement' condition will be requested in order to mitigate neighbour concerns.

The development site does not fall within Flood Zone 2 or 3. Therefore, there is no requirement for a flood risk assessment. In addition, the site is not situated close to a culvert of a river. Furthermore, the Council's drainage team raise no objection to the development.

#### Summary

Taking into account the above, Members may therefore consider that the development in the manner proposed is acceptable, as the development would be constructed below ground floor level; therefore, the development would not result in a loss of amenity to local residents nor impact detrimentally on the character of the area.

Background papers referred to during production of this report comprise all correspondence on the file ref(s) 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 to prevent overdevelopment of the site.**

- 3        Prior to the commencement of the development hereby permitted a Basement Construction Management Statement including details of proposed working hours, the type of piling and relevant noise and vibration control measures that will be applied, should be submitted to and agreed in writing by the Local Planning Authority.**

**Reason: In order to comply with Policy BE1 of the Unitary Development Plan and in the interests of neighbouring amenity**