

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

**Application No :** 17/03850/FULL6

**Ward:**  
Hayes And Coney Hall

**Address :** 22 Coney Hill Road West Wickham BR4  
9BX

**OS Grid Ref:** E: 539478 N: 165603

**Applicant :** Mr J Patel

**Objections :** YES

**Description of Development:**

Erection of single storey rear and side extensions, provision of a dormer in the rear roof slope of the building, and conversion of garage into habitable accommodation with replacement of garage door with window.

**Key designations:**

Smoke Control SCA 51

**Proposal**

The application seeks planning permission for the erection of single storey rear and side extensions, provision of a dormer in the rear roof slope of the building, and conversion of garage into habitable accommodation with replacement of garage door with window.

The proposed single storey rear and side extensions will project 2.3m to the southern side in line with the existing front building line of the dwelling and extend the full length of the existing property to wrap around to the rear and span the full width of the dwelling. It will project between 4.1m and 3.1m in depth, due to the existing stepped elevation of the dwelling. The main section of the extension will have a pitched table top style roof sloping down to the front, sides and rear from a maximum height of approximately 3.8m to an eaves height of 3.1m, when scaled from the submitted drawings, with the section of the extension adjacent to the northern side boundary having a flat roof to a height of approximately 3.2m. Two pyramid rooflights are also proposed above the table top pitched roof element of the extension. An existing single storey attached garage to the southern side is shown to be removed to facilitate the proposed extension.

The proposed rear dormer extension will measure approximately 3.3m (base) by 2.1m (height) by 3.1m (length) and will have a flat roof. Two windows are proposed within the rear of the dormer and two sun pipes within the northern side roof slope. The dormer and existing roof space is shown to provide a playroom and toilet room within the roof space.

The existing integral garage to the northern side of the dwelling is also shown to be converted into a utility room and downstairs disabled bathroom with the garage door being replaced by a window.

### **Location and Key Constraints**

The application site comprises a large detached two storey dwellinghouse located on the western side of Coney Hill Road, West Wickham.

The surrounding area is residential in nature and comprises mainly two storey detached and semi-detached dwellinghouses. The property does not lie within a conservation area or any area with special designation and is not listed.

### **Consultations**

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

- The plans show only one garage and a window to the south side but there are two garages; the north side garage is part of the existing property and the south side attached to the property.
- The south side garage only goes half way along the side wall and attached to that is a plastic sheeting covered area
- Overdevelopment
- Multi-tenancy/'Quasi' apartment block property which will further increase already congested parking within the road
- The new plans show seven additional bathrooms and nine/ten bedrooms
- The owners aim for the future is to sell it as a residential care home or apartment block which will destroy the character of the road and surrounding neighbourhood
- Works have commenced at the property and a staircase has been inserted to the loft area and the conservatory demolished to prepare for the ground floor extension
- It is a residential property and the plans submitted suggest otherwise with a gym
- The plans were submitted in mid-august but the neighbour letter was received 28th September which not acceptable
- The applicant has made efforts to scale down the proposals contained in earlier applications which are welcome but there are still concerns
- The dormer will cause overlooking
- The ground floor is extended by over 4m across most of the rear elevation adding 30% more living accommodation and as the property is already the largest house due to earlier additions, the existing and proposed enlargements are over development
- Making the property an 8/9 bedroom house is at odds with the immediate area
- Overspill of cars will be an issue

A letter of support was submitted by the agent on 08.11.17 seeking to address some of the above comments.

Neighbours were also re-notified by letter on 07.11.17 following an amendment to the description of the application to include the conversion of the existing garage to habitable accommodation and the replacement of the garage door with a window. The additional comments received are summarised below;

- The previous objections still stand
- The architects letter of 8th Nov is not acceptable and a 'what if' scenario is relevant
- The property is the largest house in the road
- The property has already been extended above the garage making it the largest house and so they should have utilised some if not all of the permitted development rights as there is no record of planning consent for these extensions
- The existing space is more than adequate for the needs of the family or a family of more than seven
- Where else is there a 9/10 bedroom and 7 bathroom house in West Wickham
- Permitted development rights were created for normal properties, unlikely for abnormal size properties like this one
- The rear extension goes the whole length of the property including the side extension and goes out a lot further than the existing conservatory
- The information submitted by the owners is vague and the rooms could be converted to bedrooms with minimal effort and cost making it into 9/10 bedrooms which is excessive for the number of people living there
- The ground floor extension is huge and could accommodate 2 more bedrooms
- Why is there an en-suite next to the playroom
- Multi-tenancy dwelling
- The aim will be to sell it as a care house or equivalent which will have a significant bearing to the value of surrounding properties
- Overspill of cars is potentially substantial
- The dormer will overlook the adjacent properties
- Excessive development
- Over development of the property
- Out of character appearance with the street scene
- The overall footprint of the property with the possibility of several smaller applications ever increasing its original size.
- Concerns raised about what the property could be eventually used for are founded but difficult to substantiate, but should not be disregarded, likewise the suggestion that it is to be used as a "Family home" housing three generations far from the normal housing practice in Bromley

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

### **Comments from Consultees**

The Council's Highways Officer raises no objections.

## **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:

- 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).

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 closes on December 31st 2016 (under The Town and Country Planning (Local Planning) (England) Regulations 2012 as amended). It is anticipated that submission of the draft Local Plan to the Secretary of State will occur in mid-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

#### Unitary Development Plan

H8 Residential extensions

BE1 Design of new development

Draft Local Plan

6 Residential Extensions  
37 General Design of Development

Supplementary Planning Guidance

SPG1 - General Design Principles  
SPG2 - Residential Design Guidance

## **Planning History**

Under ref: 90/01827/FUL, an application for a change of use from residential to residential home for the elderly and a single storey side extension was withdrawn before determination.

Under ref: 91/02113/FUL, an application for a two storey side/single story side and rear extensions and change of use from residential to residential home with 4 car parking spaces was withdrawn before determination.

Under ref: 17/01896/FULL6, planning permission was refused for roof alterations to incorporate rear dormer and side rooflights, part one/two storey side extension, single storey rear extension and conversion of garage to habitable accommodation for the following reason;

"The proposed part one/two storey side extension, by reason of its lack of adequate side space, would fail to respect the existing spatial characteristics of the area and would be detrimental to the character and appearance of the streetscene in general, thereby contrary to Policies H9 and BE1 of the Unitary Development Plan."

Under ref: 17/02135/FULL6, planning permission was refused for roof alterations to incorporate side gable end roof extensions and rear dormer, two storey side extension, single storey rear extension and conversion of garage to habitable accommodation for the following reasons;

"1 The excessive scale, massing and design of the proposed roof alterations, would result in an overly bulky and incongruous addition to the host dwelling, which would fail to respect the existing character and appearance of the host dwelling and surrounding development, and would therefore be detrimental to the visual amenities of the streetscene, thereby contrary to Policies H8 and BE1 of the Unitary Development Plan and the Council's Residential Design Supplementary Planning Guidance.

2 The proposed two storey side extension, by reason of its lack of adequate side space, would fail to respect the existing spatial characteristics of the area and would be detrimental to the character and appearance of the streetscene in general, thereby contrary to Policies H9 and BE1 of the Unitary Development Plan."

Under ref: 17/02909/FULL6, planning permission was refused for roof alterations to incorporate rear dormer and rooflights, two storey side extension, single storey rear extension and conversion of garage to habitable accommodation for the following reason;

"The proposed two storey side extension, by reason of its lack of adequate side space, would fail to respect the existing spatial characteristics of the area and would be detrimental to the character and appearance of the streetscene in general, thereby contrary to Policies H9 and BE1 of the Unitary Development Plan."

## **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 is a key consideration in the planning process. Good design is an important aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. The NPPF states that it is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes.

London Plan and UDP policies further reinforce the principles of the NPPF setting out a clear rationale for high quality design. In particular 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.

Policies H8 and BE1 of the UDP 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 BE1 of the UDP also seeks to protect existing residential occupiers from inappropriate development. Issues to consider are the impact of a development proposal upon neighbouring properties by way of overshadowing, loss of light, overbearing impact, overlooking, loss of privacy and general noise and disturbance.

The proposal includes a box dormer within the rear roof slope. The dormer extension is the same as that proposed under ref: 17/01896 and 17/02909/FULL6 and much smaller than that proposed under ref: 17/02135. It is noted that whilst application refs: 17/01896 and 17/02909/FULL6 were refused, as detailed in the planning history section above, the refusal grounds did not relate to the dormer extension.

The proposed dormer is set up from the eaves and would sit below the ridge of the main roof and given the size of the application property would remain adequately subservient. It is noted that concerns have been raised by neighbouring residents that the dormer would result in overlooking towards the neighbouring garden. However, whilst the rear windows will provide some opportunities for overlooking towards the rear of the neighbouring gardens, there is already a certain degree of mutual overlooking that currently exists from the upper windows of the properties and therefore, there is not considered to be such significant loss of privacy as to warrant a refusal on this basis.

The proposed single storey side and rear extension would extend the full length of the dwelling to the southern side and span the full width of the dwelling to the rear, which given the size of the existing dwelling would create a substantial amount of additional accommodation at ground floor. However, the extension would maintain separation to both side boundaries and would have a modest depth of between 3.1m and 4.1m which given the detached nature and size of the host dwelling and the size of the site within which it lies, is not considered to overdevelop the site. Furthermore, the height and design of the roof would help ensure that the extension remain subservient, and it is shown to be finished with materials to match the ground floor front elevation of the existing dwelling.

The extension would extend to the southern side, maintaining a separation of 1m to the southern side boundary, and would project 4.1m to the rear adjacent to no. 24. It will in part replace an existing garage and covered storage area to the southern side and conservatory to the rear. Having visited the site, it can be seen that this neighbouring dwelling has a similar rear building to that which exists at the application property, is also sited away from the boundary and benefits from a small glazed conservatory style rear extension. Taking all this into account, the proposed side and rear extension is not considered to result in any significant harm to the amenities of this neighbouring dwelling.

The neighbouring property at no. 20 sits to the north and also sits further forward than the application dwelling, meaning that the rear of the application property already exists beyond no. 20. However, the extension will project only 3.1m adjacent to no. 20 to the north and will have a smaller flat roof. In addition, due to the location of the existing dwelling within the site, a separation of around 3.3m would be maintained to the northern side boundary which will help reduce the overall impact on this neighbouring dwelling. Accordingly, the proposed side and rear extension is not considered to result any undue harm to this neighbouring dwelling.

The existing integral garage to the northern side of the dwelling will be converted into habitable space with the garage door being replaced by a window which will result in the loss of a parking space. It is also acknowledged that concerns have been raised locally with regards to an increase in parking due to the resultant increase in the size of the dwelling given the proposed extensions. However, the property is shown to remain as a single dwellinghouse and will retain the existing off-street car parking within the existing drive. It is also noted that given this existing off-street parking, the Council's Highways Officer has raised no objection to the proposal. As such, there is not considered to be any adverse impact on car

parking resulting from the proposal. In addition, the size and design of the proposed new window would not appear out of keeping with the host dwelling.

Concerns been raised by neighbouring residents that the property will be used as multi-tenancy or converted into flats or a residential care home. However, whilst the proposed extensions would result in an enlarged property with a significant number of bedrooms, bathrooms and living areas, there is no substantial evidence at this stage for the Council to assume that the property would not remain as a single residential dwellinghouse. In addition, any conversion into separate self-contained flats or a residential care home would require separate planning permission. However, in order to further safeguard against any future severance and to ensure that the additional accommodation remains as ancillary to the host dwelling a condition could be placed on any approval.

Notwithstanding the above, given the scale of the development proposed with regards to this current application, a condition removing the permitted developments of the property would be considered reasonable to ensure that the impact of any additional development can be carefully considered.

#### Summary

Having had regard to all the above, Members may consider 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 or result in any adverse impact on parking or highway safety.

Background papers referred to during production of this report comprise all correspondence on the file, 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** The additional accommodation provided by the approved extensions shall be used only by members of the household occupying the dwelling at no. 22 Coney Hill Road and shall not be severed to form a separate self-contained unit.

**REASON:** In order to comply with Policy H8 of the Unitary Development Plan, to ensure that the accommodation is not used separately and unassociated with the main dwelling and so as to prevent an unsatisfactory sub-division into two dwellings.

- 5** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order amending, revoking and re-enacting this Order) no building, structure or alteration permitted by Class A, B, C, or E of Part 1 of Schedule 2 of the 2015 Order (as amended), shall be erected or made within the curtilage(s) of the dwelling(s) hereby permitted without the prior approval in writing of the Local Planning Authority.

**REASON:** To prevent an overdevelopment of the site and in compliance with policy BE1 of the Unitary Development Plan.