

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

Application No : 17/04662/FULL6

Ward:
Hayes And Coney Hall

Address : 30 Dartmouth Road Hayes Bromley BR2
7NE

OS Grid Ref: E: 540234 N: 166801

Applicant : Mr & Mrs S. Ray

Objections : NO

Description of Development:

Erection of first floor side extension and part first floor, part ground floor rear extension, including converting existing garage to study including introducing ground floor window on front elevation and changes to front porch.

Key designations:

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

Proposal

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Planning permission is sought for extensions comprising:

- First floor extension over existing garage and part of kitchen

The proposed first floor extension would be positioned above the existing ground floor development which lies 0.9m from the flank boundary. The proposed first floor flank wall would be slightly inset from the ground floor flank elevation below so as to achieve a 1m separation to the boundary with the neighbouring dwelling.

The extension would incorporate a hipped roof to complement the existing roof slope with a subservient ridgeline. The front elevation of the extension would be set back from the existing front elevation of the main host dwelling, and a pitched roof would be provided between the ground floor front existing projection and the first floor front elevation.

- Part one/two storey rear extension

At the rear it is proposed to erect (linked to the first floor side extension and existing ground floor) a part one/two storey extension which would have a 2 storey

depth of projection of approx. 3.3m approx. 3.7m from the party boundary. The single storey part of the extension would lie between the two storey element and the party boundary and would also have a rearward projection of approx. 3.3m. The applicant's agent has confirmed that there would be no encroachment over the boundary.

- Elevational alterations to the front of the garage and to the porch

The existing garage door to the front elevation would be replaced by a window. A porch canopy with a dual pitched roof is proposed.

The application was supported by the following document:

- o Design and Access Statement

The Design and Access Statement describes the site and surrounding area and provides a justification for the proposals, including reference to the planning history of the site and No. 28 Dartmouth Road.

Location and Key Constraints

The application site comprises a semi-detached dwelling located within a rectangular plot of dimensions commensurate with the layout of residential sites in the area. The surrounding area is residential, characterised by semi-detached dwellings set within plots of quite uniform dimensions. The site lies on the western side of Dartmouth Road and the host dwelling adjoins No. 28. To the south lies the dwelling at No. 32.

The application site includes an existing single storey garage/extension at the side/rear which lies 0.9m from the boundary with No. 32 which has also been extended at ground floor level to the side and which has a large flat roofed two storey extension to the side rear.

The adjoining semi-detached dwelling at No. 28 has been extended over two storeys to the side and rear, with a single storey extension lying between the two storey rear extension and the party boundary with the application site.

Comments from Local Residents and Groups

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

Comments from Consultees (summarised)

Highways - From a technical highways perspective the proposal would result in the loss of the existing garage leaving 2 off-street parking spaces. There are no highways objections to the proposal.

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. 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.

London Plan Policies

Policy 7.4 relates to Local Character and Policy 7.6 relates to Architecture.

Unitary Development Plan

BE1 Design of New Development
H8 Residential Extensions
H9 Side Space

Emerging Local Plan

Draft Policy 6 Residential extensions.
Draft Policy 8 Side space

Draft Policy 37 General design of development.

Supplementary Planning Guidance

Supplementary Planning Guidance 1 (General Design Principles)
Supplementary Planning Guidance 2 (Residential Design Guidance)

Planning History

85/00980 Single storey side extension Permission

Considerations

The main issues to be considered in respect of this application are:

- Principle
- Design
- Highways
- Neighbouring amenity
- Sustainability

Principle

The principle of side and first floor development in the street has been established by way of a number of similar extensions having been erected over many years. In assessing whether the proposal would be acceptable it falls to consider whether the proportions, siting, scale and design of the development would be acceptable in terms of the impact of the scheme on visual and residential amenity.

Design

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.

The NPPF requires Local Planning Authorities to undertake a design critique of planning proposals to ensure that developments would function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development. Proposals must establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit; optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses and support local facilities and transport networks. Developments are required to respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation. New development must create safe and accessible environments where crime and disorder, and the fear of crime, do not

undermine quality of life or community cohesion; and are visually attractive as a result of good architecture and appropriate landscaping. London Plan and UDP policies further reinforce the principles of the NPPF setting out a clear rationale for high quality design.

Policies BE1 and H8 are relevant to this application. Policy H8 requires that the design including the scale, form and materials of construction should respect or complement the host dwelling, being compatible with development in the surrounding area. Policy BE1 states that development proposals will be expected to be of a high standard of design and layout and should be attractive to look at, complementing the scale, form, layout and materials of adjacent buildings and areas. Policy H9 is also relevant, stating that the Council will normally require a minimum of 1m side space from the side boundary of the site to be retained in the case of a proposal two or more storeys in height.

The proposed side/rear extension has been set down from the ridge of the main dwelling and back from the front elevation at first floor level. It therefore has a subservient appearance. The overall width would also be less than half the width of the main dwelling, which again adds to the subservient appearance of the extension.

The first floor element has been set back from the side boundary by 1m which accords with Policy H9. This separation is considered acceptable in this instance due to the semi-detached nature of the locality and subservient nature of the scheme.

The side addition would then wrap around the rear elevation. It would incorporate a pitched roof which maintains a similar pitch to neighbouring properties. Whilst it is acknowledged that the rearward projection of 3.3m does add some bulk to the scheme, the pitched nature of the roof lessens the overall mass. The proposal would generally be in keeping with design of the host dwelling and the proposal would not therefore appear incongruous in the context of local character. The single-storey extension would be located to the rear of the property and would not be visible from the public realm. In terms of the massing the extension is considered to be in proportion with the host dwelling and the overall design would not significantly harm the appearance of the property. The proposed facing materials would match the existing dwelling, which is considered to be sympathetic.

Elevational alterations would also be made to the front of the property. This includes the removal of an existing garage door and the installation of a replacement window. The proposed window would match the proportions of the existing fenestration and is considered an acceptable alteration that would not harm the appearance of the host dwelling. A number of other dwellings on this side of the street also a double fronted appearance as a consequence of similar elevational alterations.

It is acknowledged that the proposed first floor extension while complying with the minimum 1m side space required by Policy H9, would lie above an existing ground floor garage which lies approx. 0.9m from the boundary. It is not considered

however in the context of the visual amenities of the street scene and the spatial characteristics of the area that the modest shortfall in side space at ground floor level would result in a development detrimental to the spatial standards or visual amenities of the area.

The adjoining dwelling has a two storey side extension and visually the proposed extension would broadly replicate that existing example, resulting in a greater degree of symmetry between the semi-detached dwellings than exists at present. It is noted that the neighbouring extension did provide the full 1m side space, since that was a two storey side extension rather than a first floor extension above existing development as is proposed in this case.

Members are advised that planning permission was refused under reference 16/04364 for a development at No. 26 Dartmouth Road where the ground floor element extended to the boundary with the first floor maintaining a 1m space to the boundary. A subsequent appeal against the refusal of planning permission was allowed, with the Inspector noting that the proposal included a set back from the front elevation, a subservient roof design and the retention of 1m side space to the boundary at first floor level. The Inspector noticed the development being constructed at Nos. 20 and 22 Dartmouth Road where a similar relationship between two storey development and the outside boundaries of that pair of semi-detached houses was granted planning permission under refs. 15/04012 and 15/04013.

In this case the proposal would have a less cramped appearance than the extensions referred to above as a consequence of the increased side space at ground floor (0.9m) and the relationship with the single storey part of the side development at the neighbouring dwelling at No. 32 where the two storey flat roofed extension at that property is set at the very rear of the neighbouring flank elevation. It is therefore considered that while the ground floor existing element would provide 0.9m side space to the boundary, that this shortfall below the 1m standard that Policy H9 states would normally be required would not have a significant impact on the visual amenities of the area and would not result in an undue terracing effect on the street scene.

Highways

The NPPF recognises that transport policies have an important role to play in facilitating sustainable development but also in contributing to wider sustainability and health objectives. The NPPF clearly states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

London Plan and UDP Policies encourage sustainable transport modes whilst recognising the need for appropriate parking provision. Car parking standards within the London Plan, UDP and emerging draft Local Plan should be used as a basis for assessment.

While one parking space would be lost as a result of the conversion of the existing garage, there are no technical objections to the proposals and it is not considered

in view of the remaining off-street parking provision that the proposal would result in additional pressure on on-street parking demand.

Neighbouring amenity

Policy BE1 of the UDP 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 flank elevation of the neighbouring dwelling does not include any clear glazed windows. The first floor rear projection of the proposed extension would relate to the windowless first floor side/rear extension at No. 32. It is not considered that the proposal would have a detrimental impact on the residential amenities of that dwelling, as a consequence of the siting of the extension in relation to the neighbouring development.

At the rear, the two storey projection would be separated from the boundary by approx. 3.6m which is considered satisfactory in the context of the depth of projection of 3.3m to limit the impact of the proposal on the outlook from the neighbouring dwelling and upon the amenity space at the rear of the house. The roof of this addition would also pitch away from this boundary. The setback, coupled with the roof design would not result in a intrusive form of development.

The single storey element of the proposal would relate to an existing single storey rear extension at the adjoining dwelling. While the application site lies to the south of the adjoining dwelling, taking into account the first floor separation to the boundary and the depth of the extension it is not considered that loss of daylight/sunlight would be significant.

The proposed fenestration would primarily face the front and rear of the property where there is already an established degree of overlooking. No significant loss of privacy or overlooking is therefore anticipated. One window is located within the flank elevation of the side extension; however this window would serve a bathroom and could therefore be obscured which would result in no loss of privacy.

CIL

The Mayor of London's CIL is a material consideration. CIL is not payable on this application and the applicant has completed the relevant form.

Conclusion

Having had regard to the above it is 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.

Background papers referred to during production of this report comprise all correspondence on the files 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 Before the development hereby permitted is first occupied, the proposed window to the first floor southern flank 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 order to comply with Policy BE1 of the Unitary Development Plan and in the interest of the amenities of the adjacent properties.