

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

**Application No :** 17/04590/FULL6

**Ward:**  
**Bickley**

**Address :** 14 Yester Road Chislehurst BR7 5LT

**OS Grid Ref:** E: 542460 N: 170136

**Applicant :** Mrs A Sharp

**Objections : YES**

**Description of Development:**

Rooflight to rear and part one/ two storey front/ side extension.

Key designations:

Biggin Hill Safeguarding Birds  
Open Space Deficiency  
Smoke Control SCA 10

**Proposal**

The proposal seeks permission to extend the house to the front and side, replacing the existing single storey side attached garage and providing a two storey extension in its place.

The proposal will have a forward projection of 3.0m at ground and first floor levels. The roof will be pitched with a maximum height of 6.0m (lower than the main roof of the house). The proposed first floor side extension will have a length of 5.0m along the side of the dwelling.

The proposal will provide a 0.8m side space to the flank boundary of the site at ground floor level and a 2.1m side space at first floor level. A rooflight is also proposed to the rear elevation of the main roof of the house.

Following the refusal of application ref. 17/02062, the current application has been amended to reduce the width of the first floor side extension in order to provide a first floor side space of 2.1m as opposed to the 1.2m previously proposed. The front projection of the extension at ground floor level has also been reduced from 3.8m to 3.0m.

**Location and Key Constraints**

The site is located on the southern side of Yester Road and is not located within any specific land designation.

## **Comments From Local Residents**

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

Support:

- One general supporting comment has been received.

Local Groups:

- The Sundridge Residents' Association has objected on the grounds that the two storey extension would break the established building line and would impact on local character.

A further letter has been received from the applicant in response to the Residents' Association comments, which supports the application and describes that the building line will not extend in advance of No. 12.

## **Comments from Consultees**

Highways – The garage is not being extended forward with this application so the parking area would be as the existing. There is parking on the frontage for 2 vehicles and no objection is raised to the application.

Tree Officer – no comments made.

## **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

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.in the NPPF, the greater the weight that may be given).

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

Policy 7.4 Local Character  
Policy 7.6 Architecture

#### Unitary Development Plan (2006)

BE1 Design of New Development  
H8 Residential Extensions  
H9 Side Space  
NE7 Development and Trees  
T3 Parking  
T18 Road Safety

#### Emerging 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 8 – Side Space  
Draft Policy 30 – Parking  
Draft Policy 32 – Road Safety  
Draft Policy 37 – General Design of Development  
Draft Policy 73 – Development and Trees

## Supplementary Planning Guidance

SPG1 – General Design Principles  
SPG2 – Residential Design Guidance

### **Planning History**

Planning permission was refused under ref. 17/02062 for a two storey front/side extension. The refusal grounds were as follows:

‘The proposal does not comply with the Council's requirements for a suitable side space to be maintained to the flank boundary in respect to two storey development, in the absence of which the proposal would constitute a cramped development, harmful to the spatial character of the area and the street scene in general, contrary to Policies BE1, H8 and H9 of the Unitary Development Plan and Policies 6, 8 and 37 of the emerging Local Plan.

The proposal would result in a reduction in the car parking provision at the site that would result in possible protrusion of parked cars onto the footway and a potential increase in on-street parking demand, thereby contrary to Policy T18 of the Unitary Development Plan and Policy 32 of the emerging Local Plan.’

Retrospective planning permission was granted under ref. 13/01080 for a single storey rear extension.

### **Considerations**

The main issues relating to the application are:

- the effect that it would have on the character of the area
- the impact that it would have on the amenities of the occupants of surrounding residential properties.
- the impact on highway safety

### Impact on the Character of the Area

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.

Policies H8 and BE1 and the Council's Supplementary Planning 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. These policies are consistent with Draft Policies 6 and 37 of the draft Local Plan.

Policy H9 states that when considering applications for new residential development, including extensions, the Council will normally require a proposal of two or more storeys in height to retain a minimum 1 metre space from the side boundary of the site for the full height and length of the flank wall of the building. Where higher standards of separation already exist within residential areas, proposals will be expected to provide a more generous side space. This will be the case on some corner properties. This guidance is reflected in Policy 8 of the draft Local Plan.

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. 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 proposed extension will include a two storey side extension that would be constructed within 1m of the flank boundary of the site at ground floor level.

In this case H9 of the London Borough of Bromley's Unitary Development Plan (2006) (UDP) is relevant. This policy provides (*in part*):

*"When considering applications for new residential development, including extensions, the Council will normally require the following:*

*(i) for a proposal of two or more storeys in height, a minimum 1 metre space from the side boundary of the site should be retained for the full height and length of the flank wall of the building;"*

This policy seeks to ensure *"that the retention of space around residential buildings is essential to ensure adequate separation and to safeguard the privacy and amenity of adjoining residents. It is important to prevent a cramped appearance and unrelated terracing from occurring. It is also necessary to protect the high spatial standards and level of visual amenity which characterise many of the Borough's residential areas."*

It is noted that, the presence of the term '*normally*' in the body of UDP policy H9 strongly implies a need for discretion in the application of the policy, having regard to several factors including the characteristics of the site and its surroundings, the precise nature of the proposal and the objectives of the policy as set out in the explanatory text.

The proposed development will project 3.0m forward of the main house in a similar manner to the existing garage, and will have a first floor forward projection of the same amount. The extension will not project forward of the building line of No. 12 and therefore the appearance of the extended dwelling in the street scene would not be intrusive or detrimental to local character in this regard.

The proposed first floor side extension would result in a reduction in the side space that currently exists to the west of the host property, retaining the existing 0.8m side space at ground floor level where the garage is currently sited and reducing the side space at first floor level from 3.4m to 2.1m. However, the development would retain a generous side space at first floor level and it is not considered that the erosion of space between Nos. 12 and 14 at ground or first floor level would be harmful to the spaciousness and general character of this part of Yester Road. It is therefore considered that the spatial standards of the area would be respected and retained by the proposal.

Accordingly, it is considered that the proposed development would sit acceptably in its visual context without harming the character, appearance and spatial standards of the host property or its surroundings. The proposal is therefore considered to comply with Policies BE1, H8 and H9 of the Unitary Development Plan and Policies 6, 8 and 37 of the emerging Local Plan.

#### Impact on the Amenities of Neighbouring Properties

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 proposed extension will be sited in close proximity to No. 12 Yester Road. This neighbouring house is a bungalow sited on higher ground with no flank facing windows. The relationship between the buildings is considered acceptable, with the first floor set away from the flank boundary of the site. The front/side extension would not create a significant loss of light, visual impact or privacy.

The extension will not project forward of the building line of No. 12, therefore there would not be a harmful impact on light entering or outlook from the front facing windows.

The proposed front extension will be sited with a separation of over 5m from the boundary with No. 16, therefore there is not considered to be a harmful impact on the amenities of this property.

The proposal is considered to comply with Policy BE1 of the Unitary Development Plan and Policy 37 of the draft Local Plan.

## Parking and Highway Safety

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.

The application is to convert the existing garage however the previous forward extension at ground floor level has been omitted, thereby retaining sufficient space on the drive to park 2 cars. This layout therefore satisfactory and no objections are raised in regards to highway safety.

The proposal is therefore complies with Policy T18 of the Unitary Development Plan and Policy 32 of the emerging Local Plan.

## CIL

The Mayor of London's CIL is a material consideration. CIL is not payable on this application and the applicant has not 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 harmful impact on the character of the area and would not impact detrimentally on the amenities of neighbouring residential occupiers. No impact on highway safety would result from the proposal. It is therefore recommended that Members grant planning permission.

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(s) in the first floor flank elevation shall be obscure glazed in accordance with details to be submitted to and approved in writing by the Local Planning Authority and shall subsequently be permanently retained 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.**

- 5 No windows or doors additional to those shown on the permitted drawing(s) shall at any time be inserted in the flank elevation(s) of the extension 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.**