

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

Application No : 17/05086/FULL6

Ward:
Hayes And Coney Hall

Address : 202 Pickhurst Lane West Wickham BR4
0HL

OS Grid Ref: E: 539487 N: 166953

Applicant : Mr Tony Marsh

Objections : YES

Description of Development:

First floor front extension and roof alterations to include enlargement of roof, raising of the ridge height and rear dormer to provide habitable accommodation in the roof.

Key designations:

Biggin Hill Safeguarding Birds
Smoke Control SCA 2

Proposal

The application seeks consent for the construction of a first floor front extension and roof alterations to include enlargement of roof, raising of the ridge height and rear dormer to provide habitable accommodation. The application is a resubmission of DC/15/05405/FULL6 which was for a similar development.

The proposed extension would include a 6.5m deep staggered first floor front extension. This would incorporate a hipped roof to the front bay and a cat-slide roof design. The overall height of the roof would be raised by approximately 4m-2.5m to the top of the apex. A dormer is proposed on the rear roof slope, one window and three roof lights are proposed within the south elevation and two roof lights are proposed within the north elevation.

Location and Key Constraints

The application site is located to the eastern edge of Pickhurst Lane and comprises a two storey detached dwelling with a single storey front element featuring a single garage and the main entrance. Off-street parking is provided. The adjoining properties are two storey detached dwellings with predominately hipped roof designs.

Comments from Local Residents and Groups

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

Objections

- Neighbour wishes comments made in respect of previous applications to be taken into account. These included concerns regarding overlooking, loss of privacy, loss of light and the development being out of character.

Concerns have also been raised regarding the Party Wall Act, foundations and footings. However, these are not material planning considerations and fall beyond the scope of this assessment as they are covered by separate legislative regimes.

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

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

The relevant planning history relating to the application site is summarised as follows

Under ref: 05/03732 planning permission was refused on 14th December 2005 for a part one/part two storey side, rear and second floor extension with a rear dormer on the grounds that:

"The proposed development, by reason of its size and bulk, would be seriously out of character and scale with the surrounding area and would have a detrimental impact on neighbouring amenities and the street scene, contrary to Policies E.1 and H.3 of the adopted Unitary Development Plan and Policies BE1 and H8 of the second deposit draft Unitary Development Plan (September 2002)."

Under ref: 06/02222 planning permission was granted on 9th August 2006 for part one/part two storey side and rear extensions.

Under ref: 10/00153 planning permission was granted 29th March 2010 for a single storey front extension.

Under ref: 14/02463/FULL6, an application for a first floor front extension, increase in roof height and amended roof design to create new accommodation in second storey incorporating elevational alterations was refused on 25th March 2015 for the following reason;

1. "The proposed development, by reason of its scale, bulk and design would be out of character and scale with neighbouring properties and the surrounding area, resulting in an incongruous addition to the streetscene and would have a detrimental impact on the amenities, daylight and outlook of neighbouring properties, contrary to Policies BE1 and H8 of the Unitary Development Plan, the Council's adopted Supplementary Planning Guidance 1: General Design Principles and Supplementary Planning Guidance 2: Residential Design Guidance and the National Planning Policy Framework."

This application was subsequently dismissed at appeal on 12th August 2015 with the Appeal Inspector concluding that the scheme would have an unacceptable appearance in the area due to the bulky appearance and failure to respect the local streetscene.

Most recently, under ref: 15/05405/FULL6, a further application was made for a first floor front extension and roof alterations to include enlargement of roof, raising of the ridge height and rear dormer to provide habitable accommodation in the roof. This was refused on the 15th February 2016 for the following reasons;

1. "The proposed development, by reason of its scale, bulk and design would be out of character and scale with neighbouring properties and the surrounding area, resulting in an incongruous addition to the streetscene, contrary to Policies BE1 and H8 of the Unitary Development Plan, the Council's adopted Supplementary Planning Guidance 1: General Design Principles and Supplementary Planning Guidance 2: Residential Design Guidance and the National Planning Policy Framework."

Considerations

The main issues to be considered in respect of this application are the design of the proposal in relation to the dwelling and streetscene in general and any impact on neighbouring residential amenity. Consideration should also be given to the previous reasons for refusal.

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.

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

The current proposal is a resubmission of two refused planning applications, including refs: 14/02463/FULL6 and 15/05405/FULL6.

The Inspector of the most recent appeal (15/05405) made the following observations 'The appeal concerns a detached dwelling which is somewhat unusually low so that the principle of raising its height is not objectionable. The design of dwellings in the locality does vary with some large gable fronted semi-detached dwellings on the opposite side of the street, for example. However, in the vicinity of the host dwelling and on the same side of the street there is a particularly strong sense of regularity deriving from the fairly consistent presence of hipped roofs at the front. It is these properties which would provide the context and streetscene within which the extended dwelling would most readily be seen. The immediately adjacent dwelling at no. 200 does have gables at the front but is

particularly unusual on this side of the road and should not therefore be used as a precedent."

The northern elevation of the host dwelling is more exposed to the streetscene due to its forward position in relation to Number 204. The neighbouring property to the south, at number 200, has a similar front building line to the host dwelling.

The current proposal is similar to the refused appeals in that it continues to propose a first floor front projection of considerable depth and an overall increase in the height of the roof. However, as acknowledged within these appeals, the application property is somewhat of an anomaly within the street due to its low scale and the raising of the ridge is not objectionable in this context. The applicant has now also provided a streetscene elevation - a point raised by the previous inspector - which demonstrates that the height of the apex would be comparable to neighbouring properties. The overall increase in height is approximately 4m above the existing flat elements and 2.5m above the existing ridge.

The previous dismissed cases included full width/height front gables, which lacked articulation and were generally considered bulky in terms of mass and scale. The Inspector of the most recent appeal made the following observations 'The proposed full width front gable would be an unacceptably bulky and overly dominant feature. This would be the case despite the grey hanging tiles and the bay windows, which would provide some variation but not significantly mitigate the mass of the front elevation, as the hipped ends at other properties do. The gable would be an incongruous presence, out of keeping with the predominant frontage roof form on this side of the street and unduly disrupting its rhythm."

In this case, the applicant has sought to address previous concerns by breaking up the massing of the extensions by staggering the front projection with the use of a cat-slide roof towards the more exposed northern flank and the inclusion of a gable end with pitched roof. This design and narrowing of the front gable is now more comparable with wider examples and the use of a pitched roof to the side and gable end, together with the cat-slide on the front elevation would break up the mass of the extensions and would appear significantly less bulky than the refused schemes. The external finish would be tile hung, similar in design to other properties within the immediate vicinity, however the specific type of tile has not been indicated and a condition could be imposed to ensure the submission of this detail.

A modest dormer is proposed within the rear elevation. This is considered to be acceptable in scale and would not dominate the roof slope. No objections were raised to dormers previously proposed within the rear roof slope.

Given the above, it is considered that the proposed alterations have satisfactorily addressed previous objections. The revised design as suitably reduced the overall bulk and massing of the scheme and would no longer appear unacceptably incongruous within the streetscene. It therefore complies with policies BE1 and H8 of the UDP and 37 of the Draft Local Plan.

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 Inspector of the 2014 appeal observed that 'No 200 has two flank windows that face No 202, a kitchen roof light, set into a mono pitched roof, and a first floor bathroom window. While I do not doubt that there would be some loss of light received via the aforementioned windows, I am not persuaded that that loss would be so severe as to be harmful to the living conditions of No 200. I say that having regard to the fact that the bathroom window does not serve a habitable room or provide borrowed light to a habitable room². Given the nature of these adjoining windows, I find any loss of outlook would be limited'.

These views in relation to neighbouring amenity were subsequently upheld by the Inspector of the 2015 appeal.

Windows are proposed within the north and south facing elevations, however these would serve non-habitable rooms and can therefore be conditioned to be obscured glazed and non-opening.

The abovementioned schemes were bulkier in appearance and also included windows within the side elevations and a rear dormer. Therefore, in light of these appeal decisions, and given the differences in the proposed scheme to that of the previously refused schemes, the proposal is considered to be acceptable in terms of neighbouring residential amenities.

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 has overcome previous objections, would not result in a significant loss of amenity to local residents nor impact detrimentally on the character of the area.

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 in the interest of the visual and residential amenities of the area.

- 3 Details of the materials to be used for the external surfaces of the extensions hereby approved shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced. The works shall be carried out in accordance with the approved details.**

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

- 4 Before the development hereby permitted is first occupied the proposed window(s) in the north and south elevations 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 the interests of the amenities of nearby residential properties and to accord with Policies BE1 and H8 of the Unitary Development Plan