

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

Application No : 17/05605/FULL6

Ward:
**Bromley Common And
Keston**

Address : 7 Cheyne Close Bromley BR2 8QA

OS Grid Ref: E: 542145 N: 165147

Applicant : Mr Roger Kimpton

Objections : No

Description of Development:

First floor side/rear extension

Key designations:

Biggin Hill Safeguarding Area
London City Airport Safeguarding
Smoke Control SCA 14
Smoke Control SCA 22

Proposal

Planning permission is sought for a first floor side/rear extension which would be constructed above part of the existing flat roofed garage which infills the space between the two storey host dwelling and the boundary of the site with No. 5.

The rear element, will project in depth from the rear elevation of the host dwelling by 1 metre, will be 4.59 metres in width, and will then project forwards towards the front elevation of the host dwelling by approximately 6 metres. The front elevation of the extension will however be set back from the front elevation of the host dwellinghouse by approximately 3 metres.

A minimum separation of 1 metre will be provided between the flank wall of the first floor side extension and the property boundary shared with Number 5.

The extension would be constructed of materials to match the existing dwelling.

Location and Key Constraints

The application site is located on the southern side of Cheyne Close and hosts a two storey detached dwellinghouse.

Comments from Local Residents and Groups

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

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 subject to an Examination in Public which commenced on 4th December 2017 and the Inspector's report is awaited. 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

H9 Side space

BE1 Design of new development

Draft Local Plan

6 Residential Extensions
8 Side Space
37 General Design of Development

Supplementary Planning Guidance

SPG1 - General Design Principles
SPG2 - Residential Design Guidance

Planning History

10/02679 First floor side and rear extension GRANTED

The development granted planning permission under reference 10/02679 is replicated in this current proposal. The permission was not implemented within 3 years of the grant of planning permission.

It is noted that in the intervening period, planning permission has also been granted at No.5 for a development of similar scope to this current application (ref. 14/04450) and that in granting planning permission for that application and for the original 2010 application at this site, reference was also made to the similar extension at No. 3 Cheyne Close (although that was constructed in 1974).

Considerations

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

- Resubmission
- Design
- Neighbouring amenity

Resubmission

This application replicates a scheme previously granted under reference 10/02679. That development was not commenced within the 3 year period from the decision date and therefore expired. It falls within this application to assess whether material considerations now exist which would warrant the refusal of planning permission for the previously granted development.

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.

In terms of the proposed first floor side extension, this aspect will be visible from the roadside and will therefore have some impact upon the character of the area and the streetscene. However, the impact is considered to be less than substantial and would not warrant the refusal of planning permission, particularly in view of the granting of planning permission in 2011 for development identical to that currently proposed.

The front elevation of the proposed side extension is set back from the front elevation of the main dwelling by 3 metres, and also the ridge of the roof has been set below the main ridge height by 1 metre, which in design terms appears to provide a subservient relationship to the host dwellinghouse. While the extension would be constructed above a garage that abuts the boundary it is considered that the setting back of the front elevation of the extension and the space retained overall between the host and neighbouring dwelling would not result in a cramped appearance or unrelated terracing which would be detrimental to the spatial standards of the area.

There is an example of similar development at Number 3 Cheyne Close and similarities between the appearance of the proposed development at Number 7 and that granted at Number 5 can also be drawn. Taking into account the planning history of the site (the grant of planning permission in 2010) and the design of the development it is considered that the proposal at Number 7 will not adversely affect the character of the area nor the streetscene in general. In terms of the policy context for this current application, the relevant policies of the emerging Local Plan (draft policies 6, 8 and 37) are similar to those against which the previous application was assessed (UDP policies H8, H9 and BE1).

Having regard to the form, scale, siting and proposed materials as well as the planning history of the site it is considered that the proposed extension would complement the host property and would not appear out of character with surrounding development or the area generally.

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 first floor rear element of the proposed development will be set a significant distance away from the western property boundary and will only project in depth by 1 metre. As such, this aspect of the proposal will not impact upon the amenities of the residents of adjacent properties, nor will it affect the streetscene.

Having regard to the scale, siting and separation distance of the development, it is not considered that a significant loss of amenity with particular regard to light, outlook, prospect and privacy would arise.

CIL

The Mayor of London's CIL is a material consideration. CIL is not payable on this application.

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 No windows or doors shall at any time be inserted in the eastern elevation of the extension hereby permitted, without the prior approval in writing of the Local Planning Authority.**

Reason: In the interest of the residential amenities of the neighbouring dwelling and to accord with Policy BE1 of the Unitary Development Plan.