

Application No : 17/05602/FULL6

Ward:
Hayes And Coney Hall

Address : 125 Hayes Lane Hayes Bromley BR2
9EJ

OS Grid Ref: E: 540508 N: 167319

Applicant : Mr And Mrs D Evans

Objections : YES

Description of Development:

First floor side and single storey rear extensions, alterations to roof incorporating rear dormer and conversion of existing garage to habitable room

Key designations:

Biggin Hill Safeguarding Area
London City Airport Safeguarding
Smoke Control SCA 51

Proposal

Planning permission is sought for extensions comprising:

- first floor extension over existing garage (projecting 2.4m to the side)
- single storey extension projecting 3m to the rear of the house
- alterations to roof incorporating rear dormer
- conversion of existing garage to habitable room

The proposed first floor extension would be positioned above the existing ground floor development which lies between 0.94m and 0.85m from the flank boundary, and 2.2m separation to the adjacent neighbour. An additional drawing (dated 05/02/18) has been submitted by the Agent with annotated dimensions to the boundary and the adjoining neighbour at No. 127.

The extension would incorporate a hipped roof to complement the existing roof slope with a subservient ridgeline, set approximately 1m below the main roof ridge. The front elevation of the extension would be set back from the existing front elevation of the main host dwelling by approximately 0.9m.

The proposed single storey extension would be constructed along the shared boundary with No. 123 by 3m, and set in from the corner of the building 1.1m.

The application was supported by the following document:

- CIL form

Location and Key Constraints

The application site comprises a semi-detached dwelling located on the eastern side of Hayes Lane. The surrounding area is residential, characterised by a mixed of detached and semi-detached dwellings set within similar sized plots. To the south of the site lies No.127 and to the north of the site lies No.123.

Comments from Local Residents and Groups

Nearby owners/occupiers were notified of the application and the following comments were received:

- loss of light to first floor rooms due to terracing effect
- boundary less than 1m
- happy to compromise on boundary if front 1st room on side extension is removed pushing back from current ground floor by approx 4m

Comments from Consultees

Highways - From a technical highways perspective no objections are raised in principle 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:

- o The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- o 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
- o 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 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.

London Plan Policies

Policy 7.4 Local Character
Policy 7.6 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

There is no recent planning history at the site.

Considerations

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

- Design
- Highways
- Neighbouring amenity
- CIL

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

It is noted that the existing garage to be retained as part of this application would maintain less than the 1m side space normally sought under Policy H9. However, given that a separation of 0.94m would be retained to the boundary, together with a separation of 2.2m to the neighbouring property it is considered acceptable in this instance due to the semi-detached nature of the locality and subservient nature of the scheme. It is recommended that the modest shortfall in side space at ground floor level would not result in a development detrimental to the spatial standards or visual amenities of the area.

Elevational alterations would also be made to the front of the property by 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.

The proposed rear dormer extension would have a pitched roof and would be well contained within the rear roofslope. The proposed single storey extension would also have a pitched roof and would not result in a detrimental impact upon the visual amenities of the area.

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.

Whilst the number of bedrooms at the property would increase as a result of the extensions, two cars can be accommodated at the site and there are no technical objections to the proposal.

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.

A letter of objection has been received from the neighbouring property at No. 127 relating to the loss of light to windows in the flank elevation. No information has been provided to show which these upper windows serve. However, given the separation distance that would be retained between the windows and proposed extension and the orientation of the neighbouring property to the south of the application site, it is not considered that the proposal would have a detrimental impact on the residential amenities of that dwelling.

The single storey element of the proposal would extend along the shared boundary with No. 123. While the application site lies to the south of the adjoining dwelling, taking into account the proposed depth and modest height of the extension it is not considered that loss of daylight/sunlight would be significant.

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.

as amended by documents received on 05.02.2018

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 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