

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

Application No : 17/05674/FULL6

Ward:
Orpington

Address : 74 Avalon Road Orpington BR6 9BA

OS Grid Ref: E: 547308 N: 165575

Applicant : Mr Murali Doosa

Objections : No

Description of Development:

Single storey front/side and rear extension and first floor side extension

Key designations:

Biggin Hill Safeguarding Area
London City Airport Safeguarding
Smoke Control SCA 31

Proposal

Planning permission is sought to extend the property at single storey to the side and rear and at first floor to the side. The proposed single storey extension would replace an existing single storey garage on the side of the house, retaining a 0.7m separation to the flank boundary. At its deepest point, the proposed single storey rear extension would project 6m to the rear of the property (as established under prior approval ref. 17/04846/HHPA). The first floor extension would be extend along the side of the existing house .

Location and Key Constraints

The application property is a two storey semi-detached house located on a corner plot. The site faces Avalon Road with the side of the property facing Berrylands. There is a grass verge measuring 5m which runs alongside the site and existing pavement.

Comments from Local Residents and Groups

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

Comments from Consultees

Highways: Comments received which are summarised as follows:

The previous application which included the extensions showed 3 parking spaces. The hardstanding shown on the plans for this application is large enough for 1 vehicle. Given the proposal is to extend the property from a 3 bed to a 5 bed house, there should be at least 2 parking spaces on the frontage and the hardstanding extended slightly to at least 4.8m wide. It is suggested that a condition is added to ensure this.

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

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

Unitary Development Plan

H8 Residential extensions

H9 Side space

T3 Parking

BE1 Design of new development

Draft Local Plan

6 Residential Extensions
8 Side Space
30 Parking
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:

- 84/02504/FUL- Planning permission granted for an attached garaged
- 14/03814/FULL6- Planning permission granted for a Two storey side and single storey rear extensions and pitched roof to front
- 17/04846/HHPA- Prior approval not required for a Single storey rear extension, extending beyond the rear wall of the house as existing by 6.0m (beyond the original rear wall by 6.0m), for which the maximum height would be 2.7m (maximum height of proposed and previous extensions 2.7m), and for which the height of the eaves would be 2.65m (maximum eaves height of proposed and previous extensions 2.65m) - (42 Day Notification for Householder Permitted Development Prior Approval)

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.

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

In terms of design, the existing property has a gable style roof. The proposed two storey side extension would have a half hip style roof (as previously granted under ref. 14/03814) which would reduce the amount of roof bulk. It is considered that the proposed design of the extension is in-keeping with the host building and unlikely to detrimentally unbalance the pair of semi-detached properties.

The proposed two storey extension would replace an existing single storey garage at the side. The extension would retain a 0.7m side space to the south-eastern boundary fronting onto Berrylands. Although this is less than the 1m side space normally required to be maintained to the boundary for two storey extensions by Policy H9 of the UDP, it is noted that the previous application (ref.14/03814) granted by Committee allowed a side space of 0.2m. On balance, given the planning history at the site and that the proposed extension is sited on the corner plot and the wide grass verge (5m) which would separate the development with the footpath, the extension would not appear cramped in appearance. It is recommended that given the previous grant of planning permission for a similar scheme that the current proposal is acceptable in this regard.

Having regard to the form, scale and siting it is considered that the proposed extensions would complement the host property and would not appear out of character with surrounding development or the area generally.

Highways

Concerns have been raised that the proposed hardstanding would only accommodate 1 car given the increase of bedrooms from 3 to 5. The previous application showed 2 vehicles to be accommodated at the site which was deemed acceptable. A condition has been added to ensure adequate car parking is provided at the site.

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 proposed single storey rear extension would have a flat roof and project 6m to the rear of the building. The proposed rear extension would replace an existing smaller conservatory at the site. The neighbouring property at No. 72 also benefits from an existing single storey rear extension and it is considered that on balance given that the enlarged depth of 6m (and that the depth has been established by prior approval 17/04846/HHPA) that the extension is unlikely to result in a detrimental impact upon the amenities of this resident.

Having regard to the scale, siting and orientation 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 likely to be 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 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 any work is commenced details of parking spaces and/or garages and sufficient turning space shall be submitted to and approved in writing by the Local Planning Authority and such provision shall be completed before the commencement of the use of the land or building hereby permitted and shall thereafter be kept available for such use. No development whether permitted by the Town and Country Planning (General Permitted Development Order) 2015 (or any Order amending, revoking and re-enacting this Order) or not, shall be carried out on the land**

or garages indicated or in such a position as to preclude vehicular access to the said land or garages.

Reason: In order to comply with Policy T3 of the Unitary Development Plan and to avoid development without adequate parking or garage provision, which is likely to lead to parking inconvenient to other road users and would be detrimental to amenities and prejudicial to road safety.