

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

Application No : 17/05600/FULL6

Ward:
Kelsey And Eden Park

Address : 118 Kenwood Drive Beckenham BR3 6RB

OS Grid Ref: E: 538345 N: 168745

Applicant : Mr Ian Mortlock

Objections : NO

Description of Development:

First storey side extension to left hand flank above existing garage

Key designations:

Smoke Control SCA 21

Smoke Control SCA 9

Proposal

The application seeks planning permission for a first floor side extension to the south-eastern side of the dwelling above the existing garage. It will project 2.25m in width and 7.5m in length and will have a hipped roof with a ridge height 0.25m below the main ridge height. A side space of 1m is shown to be provided from the flank wall of the first floor extension to the south-eastern boundary. At ground floor the garage is to be retained which abuts the boundary.

The extension is shown to be finished in matching brickwork with a tiled roof and will provide an en-suite bathroom and enlarged 4th bedroom.

Location and Key Constraints

The application site comprises a two storey detached dwellinghouse located on the south-western side of Kenwood Drive.

The site does not lie within a conservation area and is not a Listed Building. The surrounding area is mainly residential in nature.

Comments from Local Residents and Groups

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

Comments from Consultees

None were requested.

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:

National Planning Policy Framework (NPPF) (2012):

Chapter 7 - Requiring Good Design

London Plan Policies (2016):

7.4 Local character

7.6 Architecture

Unitary Development Plan (2006):

H8 Residential extensions

H9 Side space

BE1 Design of new development

Draft Local Plan (2016):

6 Residential Extensions

8 Side Space

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:

86/03053/FUL – Planning permission was granted for a single storey side extension (03.12.1986)

87/00748/FUL – Planning permission was granted for an attached garage (08.07.1987)

87/01740/FUL – Planning permission was granted for a single storey side extension (08.07.1987)

06/03903/FULL6 – Planning permission was refused for a first floor side extension (07.12.2006) for the following reason:

The proposal does not comply with the Council's requirement for a minimum 1 metre side space to be maintained to the flank boundary in respect of a two storey development. In the absence of which it would constitute a cramped form of development, detrimental to the lowering of the spatial standards to which the area is at present developed, thereby contrary to Policies BE1, H8 and H9 of the Unitary Development Plan.

This extension was to the north-western boundary with No. 117 and would be above the existing side extension and would not have provided any separation with the boundary.

Considerations

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

- Design
- Side Space
- 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.

London Plan Policy 7.4 requires developments to have regard to the form, function, and structure of an area. Policy BE1 states that all development proposals, including extensions to existing buildings, will be expected to be of a high standard of design and layout. Policy H8 states that the design and layout of proposals for the alteration or enlargement of residential properties will be required to (i) the scale, form and materials of construction should respect or complement those of the host dwelling and be compatible with development in the surrounding area and (ii) space or gaps between buildings should be respected or maintained where these contribute to the character of the area.

The Council will normally expect the design of residential extensions to blend with the style and materials of the main building. Where possible, the extension should incorporate a pitched roof and include a sympathetic roof design and materials.

The extension is sympathetically designed to complement the host building, the first floor is set back and the ridge height lower than the host building as such it is considered that

the extension would not appear overly bulky or dominant within the street scene, and would not detract from the character and appearance of area generally.

The proposal would be considered to complement the character and appearance of the host dwelling and adjoining terrace and for these reasons, it is considered that the proposed development is acceptable and complies with policy on design.

Side Space

Policy H9 states that 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; or

(ii) 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.

The Council considers 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. Proposals for the replacement of existing buildings will be considered on their merits.

Policy H9 of the UDP, states, among other things, that "normally", a minimum of 1 metre clear distance should be maintained between the full height and depth of a two storey side extension and the side boundary of the property. With the proposed extension, whilst the upper storey element of the house would be 1m from the boundary, there would not be a clear 1 metre gap at both upper and lower storeys by virtue of the existing garage being built ~0.2m from the south-eastern boundary with No. 119.

In this case, however, given the very small scale, sympathetic design and set back position of the proposed extension, the technical conflict with Policy H9 would be very modest. Adequate physical and visual separation between the two storey elements of the neighbouring property No. 119 (which is a detached property); it is considered that the proposal would be commensurate with the established pattern of development in the vicinity. Consequently, there would be no material harm to the character and appearance of the area.

Given all of the above it is considered that the proposal would not result in a terracing effect between the extension and any neighbouring property, the proposed extension would also not cause a cramped appearance within the wider streetscene given that the extension at first floor level is set off the boundary by 1m and set back by 0.3m from the front elevation. It is considered the separation distance retained allows for high spatial standards and a high level of visual quality to be maintained. Therefore the proposal does not conflict with the reason for the side space policy.

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. This is supported by London Plan Policy 7.6.

The properties fronting Kenwood Drive form a straight frontage, one window is proposed in the flank elevation which is to serve the en-suite (which can be conditioned to be obscure glazed and top opening only) it is considered that the scale, siting, separation distance, orientation of the development in relation to No. 119, would not result in a significant loss of amenity with particular regard to light, outlook, prospect and privacy.

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 proposed development has been carefully and sympathetically designed to ensure that the proposal would not materially harm the character or appearance of the area, nor would result in a terracing affect or the amenities of the surrounding occupiers.

As such, it is recommended that planning permission should be granted with the conditions set out in this report.

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 22.02.2018
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 (2006) 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 (2006) and in the interest of the visual and residential amenities of the area.

- 4** No additional windows shall at any time be inserted in the first floor south-eastern flank elevation, without the prior approval in writing of the Local Planning Authority.

REASON: In order to comply with Policy 7.6 of the London Plan (2016) and Policy BE1 of the Unitary Development Plan (2006) and in the interest of the amenities of the adjacent properties.

- 5** Before the development hereby permitted is first occupied the proposed first floor south-eastern flank window shall be obscure glazed to a minimum of Pilkington privacy Level 4 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: To accord with Policies BE1 and H8 of the Unitary Development Plan (2006) and Policy 7.6 of the London Plan (2016) and in the interests of the amenities of nearby residential properties.