

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

Application No : 18/00457/FULL6

Ward:
Hayes And Coney Hall

Address : 11 Kingsway West Wickham BR4 9JD

OS Grid Ref: E: 539461 N: 165232

Applicant : Mr David Dale

Objections : NO

Description of Development:

Part one/two storey side/rear extension

Key designations:

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

Proposal

Permission is sought for a two storey front/side extension and roof enlargements. At ground floor level, the extension will project 0.9m forward to bring the front door in line with the existing front elevation. It will then project 2.6m from the flank elevation and will be 10.9m deep to match the depth of the existing property. At first floor level, the extension will be 2.6m wide and is set back 0.9m from the front property line, with a depth of 10m. The roof enlargements include replacing the existing rear flat roof with a dual pitched roof and enlargement of main roof over proposed side extension.

The existing conservatory, garage and store room will be removed to accommodate the proposal.

Location and Key Constraints

The application site is a two storey semi-detached property located on the north-eastern side of Kingsway, close to the junction with Church Drive. A public footpath runs parallel to the north-western flank boundary.

Comments from Local Residents and Groups

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

Comments from Consultees

Highways:

- The development will result in loss of one parking space by conversion of the garage to a habitable accommodation. However, there are spaces available within the site's curtilage which would be utilised for parking. Therefore on balance as it is a small development I raise no objection to this proposal.
- No objection; please include the following condition with any permission: H03 (Car Parking)

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
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

- 83/00998/FUL - Single storey rear extension - Permitted 06.07.1983
- 86/01160/FUL - First floor and single storey rear extensions - Permitted 19.06.1986
- 17/03235/FULL6 - Two storey front/side extension and roof enlargement - Refused 06.09.2017

Considerations

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

- Resubmission
- Design
- Highways
- Neighbouring amenity

Resubmission

The site has been subject to a recent refusal under planning ref. 17/03235/FULL6 for a 'Two storey front/side extension and roof enlargement'. The reasons for refusal were as follows:

1. The proposed extension, by reason of its bulk, design and inadequate side space provision, would give rise to an overly dominant development which would lack subservience to the main dwelling, detrimental to the character and appearance of the host dwelling and street scene in general, thereby contrary to policies BE1, H8 and H9 of the Unitary Development Plan.
2. The proposed extension, in the manner proposed would create a bulky and obtrusive form of development that would cause significant harm to the street scene and unbalance the pair of semi-detached dwellings, contrary to policy H8 of the Unitary Development Plan

The subsequent appeal (APP/G5180/D/17/3184634) was dismissed. The inspector stated that given the presence of the footpath and the distance to the neighbouring dwelling, the proposal would not appear cramped, there would be no impression of terracing and the street scene would retain a spacious appearance.

The inspector also stated that there are numerous other examples along Kingsway where the semi-detached properties are not symmetrical and have been extended to varying degrees in isolation of the other paired semidetached property. Therefore the unbalancing of this pair of semi's was not considered harmful to the street scene.

However, the proposal would sit flush with the existing front elevation of the house at both ground floor and first floor levels. This, when considered with its not insignificant width, would result in the extension having an overly dominant and bulky appearance when considered against the existing appeal property and would not appear subservient, resulting in harm to the character and appearance of the host dwelling and the area.

The current application is for a Part one/two storey side/rear extension which has been set back from the front elevation by 0.9m at first floor level. The ground floor foot print and rear roof alterations remain the same.

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.

Policy BE1 of the Bromley UDP 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 of the UDP 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. This is reiterated in draft Local Plan Policy 6.

Policy H9 of the Unitary Development Plan states that 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, however, where higher standards of separation already exist within residential areas, proposals will be expected to provide a more generous side space, including corner plots. It is noted that a public footpath runs along the flank boundary. The footpath is approximately 2m wide, therefore helps to maintain the visible separation with the neighbouring property to the north-west. As such, the appeal Inspector stated that the proposal would not appear cramped, there would be no impression of terracing and the street scene would retain a spacious appearance.

The property forms one half of a pair of semi-detached properties; both of which currently benefit from symmetrical pitched roofs with two storey side projections that are set back from the front elevation. The inspector considered that whilst an extension would unbalance the pair of properties, other examples can be found in the street. Nonetheless, the previous proposal would result in a bulky and overly dominant addition to the property, harmful to the character and appearance of the host dwelling and the area. It was noted that a nearby example, No.65 Kingsway, was considered by the inspector however this property is set back at first floor level therefore was considered less dominant.

This revised application sets the first floor level 0.9m back from the existing front elevation which in turn has lowered the height of the roof by 0.3m when viewed from the street. Given, the first floor set back, it is considered that, on balance, the proposal will not result in a detrimental impact on the host property or the street scene in general to warrant refusal.

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

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.

The existing garage will be removed to accommodate the proposal. There are spaces available within the site's curtilage which would be utilised for parking, as such, no objection was raised from a highways perspective.

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.

From visiting the site it was noted that both the application site and the adjoining property, No. 11a, have been subject to similar two storey rear extensions. The proposed roof alterations include replacing the existing first floor flat roof with two hipped roof extensions. They are set down from the main ridge and pitched away from the adjoining property. With regards to the two storey side extension, this will not project beyond the rear of the existing property. It is therefore considered that the proposed alterations will not impact significantly on the amenities of this neighbouring property with regards to loss of light, outlook or privacy.

The neighbouring property to the north-west is a maisonette. A public footpath runs along the flank boundary, between these two properties, that is approximately 2m wide. Furthermore, this neighbouring property is situated approximately 6m from their boundary, thereby providing around 8m separation from the proposed extension. From visiting the site it was also noted that this flank boundary currently consists of established trees and vegetation. It is therefore considered that the proposal would not impact significantly on the amenities of this neighbouring property with regards to loss of light, outlook or privacy.

Having regard to the scale, siting, separation distance, existing boundary treatment 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** 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 commencement of the use of the land or building hereby permitted parking spaces and/or garages and turning space shall be completed in accordance with the approved details and thereafter shall be kept available for such use and no permitted development whether permitted by the Town and Country Planning (General Permitted Development) Order (England) 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.