

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

Application No : 18/00917/FULL6

Ward:
Chislehurst

Address : 85 Holmdale Road Chislehurst BR7 6BY

OS Grid Ref: E: 544184 N: 171354

Applicant : Mr & Mrs Paul Kitchen

Objections : YES

Description of Development:

First floor side and single storey front extensions and part conversion of garage to habitable room

Key designations:

Biggin Hill Safeguarding Area
London City Airport Safeguarding
Smoke Control SCA 16

Proposal

The application proposes a first floor side extension above an existing garage which is also proposed to be extended slightly forward with the rear part being converted into a utility room.

The ground floor extension would have a width of 2.6m and a depth of 0.9m and would continue the existing eaves and ridge.

The first floor extension would have a width of 2.3m, a depth of 2.5m, an eaves height of 5.6m and a ridge height of 6.5m. It would be set 0.2m from the boundary and 5m from the front of the dwelling.

Location and Key Constraints

The application site hosts a two storey semi-detached dwelling on the Western side of Holmdale Road, Chislehurst.

The nearest adjoining dwelling to the North is a significant distance away from the host property given that it sits on a corner, as such the property benefits from being beside a large open space.

Comments from Local Residents and Groups

Nearby owners/occupiers were notified of the application and representations were received, which can be summarised as follows:

Objections

- The property to the rear raised concerns regarding overlooking from the bathroom window

Local Groups

- The Chislehurst Society acknowledged that this is contrary to the side space policy.

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

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

The relevant planning history relating to the application site is summarised as follows

- o 87/03679/FUL; Single storey rear extension and front porch; Permitted

- o 04/02333/FULL6; First floor side and single storey front extensions; Permitted

- o 15/05620/FULL6; Single storey front extension, first floor side extension, roof alterations incorporating hip to gable roof extension and dormer to rear and part conversion of garage to habitable room; Refused

- o 16/00489/PLUD; Roof alterations incorporating hip to gable extension, rear dormer with Juliet balcony and front rooflights. LAWFUL DEVELOPMENT CERTIFICATE (PROPOSED); Proposed use/development is lawful

Considerations

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

- Design
- Neighbouring amenity
- Side Space
- 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.

Having regard to the form, scale, siting and proposed materials 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.

The front extension does not project past the front-most part of the dwelling and would maintain the same roof pitch as present; it would also maintain the garage façade and this would help to retain the existing character and appearance of the host dwelling.

The first floor extension, whilst only set 0.2m from the boundary is set significantly back from the front of the dwelling and has a much lower ridge height than the existing ridge, as such it is considered that this would appear subservient to the main dwelling and would not appear cramped.

The use of matching materials would maintain the character and appearance of the host dwelling and street scene.

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.

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.

Subject to the imposition conditions regarding the use and retention of obscure glazing to the rear window it is not considered that an unacceptable loss of privacy to neighbouring dwellings would arise.

The extensions would not project past the front or rear of the dwelling and therefore it is considered that there would be no impact on the adjoining occupiers at number 83.

The adjoining dwelling at number 87 is set over 10m away from the common boundary and as such it is felt that there would be no impact on this neighbour as a result of the extensions.

The neighbour to the rear raised concerns about overlooking and as such a condition should be added to any permission to ensure that the window in the rear elevation is obscure glazed.

Side Space

Policy H9 requires that development should normally provide a side space of 1m for the full height and length of the flank wall. At present the property benefits from

a garage which directly abuts the boundary, the extension would be built above this but set 0.2m in from the boundary and 5m back from the front of the first floor.

It is considered that the modest extension is set well back from the front, and that given the significant distance between number 85 and number 87 there would be no opportunity for terracing nor would the site appear cramped as a result of the extension.

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 the development hereby permitted is first occupied the proposed window in the rear 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