

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

Application No : 18/00458/FULL6

Ward:
Shortlands

Address : 7 Bushey Way Beckenham BR3 6TA

OS Grid Ref: E: 538587 N: 167487

Applicant : Ms Donna Kaufman

Objections : YES

Description of Development:

Loft extension to include rear dormer and rooflights

Key designations:

Area of Special Residential Character
Biggin Hill Safeguarding Area
London City Airport Safeguarding
Open Space Deficiency
Smoke Control SCA 9
Smoke Control SCA 21

Proposal

Planning permission is sought for roof alterations to raise the ridge height of the property, three front rooflights, loft conversion and rear dormer extension.

Location and Key Constraints

The application site is located on the northern side of Bushey Way near to the junction with Wickham Way, Beckenham and the property comprises a semi-detached two storey property. The area lies in an Area of Special Residential Character (ASRC). Properties in the area are primarily residential in nature and are of a similar architectural style.

Comments from Local Residents and Groups

Nearby owners/occupiers were notified of the application and one letter of representation was received which can be summarised as follows:

- Whilst taking a neutral stance on the design proposals, as with other developments where an adjoining property will be directly affected by structural work, may we request that the Council fully satisfy themselves that

there will be no adverse effect on the adjoining semi-detached property. Could the Council please ensure that all developments effecting the Party Wall between the 2 properties fully meet the requirements of the Party Wall Act 1996, that the structural stability of both houses is not adversely effected and that you are satisfied that no ingress of rain/snow to both properties will result from the proposed development.

- I have serious concerns which I feel will have detrimental effects to my property from a material & structural aspect & also in aesthetic impact on the character of the area.
- A similar scheme was proposed in August & rejected, one of the main rejections was "the impact it would have on the Character of the area & the impact that it would have on the amenities of the occupants of Surrounding residential properties." I cannot see why this new scheme would be allowed & is any different other than very slightly smaller. For the very same reasons the original application was turned down I consider the council should refuse the permission this time.
- With regards to my concerns from a material & structural aspect, the table top roof where it joins my pitched roof of some 70+ years of age is likely to cause problems at an early stage & potentially ongoing. I have been advised that the dimension where the flat roof joins my ridge is only 100mm to achieve a workable flashing detail this is insufficient & also will create on going weather issues to my property. I also believe that the works they are proposing with the current design will require access & alterations to my roof coverings which I am not at all happy about given its current age.
- From the plans it does not make it clear how the water from the roof will be discharged. With the current ground conditions being heavy clay & rainwater being discharged into soakaways the current land & soakaways struggle with gardens lower down the hill becoming underwater this includes mine. The roof proposals will increase the surface area of drainage to the rear elevation impacting on the existing surface water drainage which is insufficient.

Comments from Consultees

No consultee comments sought.

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

7.4 Local Character

7.6 Architecture

Unitary Development Plan

BE1 Design of New Development

H8 Residential Extensions

H10 Areas of Special Residential Character

Emerging Local Plan

Draft Policy 6 Residential Extensions

Draft Policy 37 General Design of Development

Draft Policy 44 Areas of Special Residential Character

Supplementary Planning Guidance

Supplementary Planning Guidance 1 - General Design Principles

Supplementary Planning Guidance 2 - Residential Design Guidance

Planning History

Under planning application ref:- 17/04505/FULL6 planning permission was granted for a ground floor rear and side extension.

Under planning application ref:- 17/02940/FULL6 planning permission was refused for roof alterations to incorporate rear dormer with Juliet balcony and front rooflights and single storey side/rear extension.

Considerations

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

- Design
- 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 H8, BE1 and the Council's Supplementary design guidance seek to ensure that new development, including residential extensions are of a high quality design that respect the scale and form of the host dwelling and are compatible with surrounding development. In addition, Policy 7.4 of the London Plan seeks that

buildings should provide a high quality design that has regard to the pattern and grain of the existing spaces and streets in orientation, scale, proportion and mass and contributes positively to the character of the area. Consistent with this the National Planning Policy Framework (NPPF) states that new development should reflect the identity of local surroundings and add to the overall quality of the area.

Policy H10 requires that development proposals respect and complement the established and individual qualities of the area. Appendix 1 of the UDP states that the particular character of this part of Langley ASRC references character of a garden estate which is given by the quality and appearance of the hedges, walls, fences and front gardens. It also requires that the general height of existing buildings in the area shall not be exceeded. There is a mix of house type in the vicinity and there street scene evidences various types of extensions.

Policy H8 requires that 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. SPG 2 provides residential design guidance and states with regards to extensions that:

"All extensions should respect the composition of the host building, especially the roof and the rhythm of form and detail generally. Particular care should be taken to retain the architectural integrity of the host building."

Under planning application ref:- 17/02940/FULL6 planning permission was refused for roof alterations to incorporate rear dormer with Juliet balcony and front rooflights and single storey rear extension. The reason for refusal read as follows:-

The proposed increase to the existing ridge height to facilitate a loft conversion and rear dormer extension, by reason of its size, scale, design and prominence would result in a bulky and incongruous form of development that would harm the character and appearance of the host dwelling, streetscene and wider Park Langley Area of Special Residential Character contrary to BE1 Design of New Development, H8 Residential Extensions, H10 Areas of Special Residential Character of the Unitary Development Plan (2006) and Supplementary Planning Guidance No 1 General Design Principles and No 2 Residential Design Guidance.

Following the refusal of this application the applicant has amended the increase in the ridge height from 0.7m to 0.6m with the ridge height sitting just below the main ridge height of the dwellinghouse. As well as increasing the ridge height of the property an existing void would also be infilled to the side of the property, which is currently designed as two roof valleys. A rear dormer with patio doors and a Juliet balcony is also proposed to the rear roof slope of the property.

The Council is aware that a similar application was granted planning permission at No.29 Bushey Way under planning application ref:- 13/02255 for 'roof alterations incorporating increase in roof height, half hip and rear dormer extensions'. This application is considered a slightly different comparison with No. 29 having a flat roof design above the first floor front bedroom before rising up to have a pitched roof towards the rear. In this particular case the loss of the flat roof element was

considered desirable but this application considered in the context of what is being proposed at No.7 is a material consideration.

The increase to the ridge height needs to be considered in the context of the adjoining semi-detached property, No.5 Bushey Way. When comparing No.5 against No.7 any increase to the ridge height coupled with the half hip roofline and three rooflights will have a noticeable difference to the property, neighbouring property (No.5) and the wider streetscene. It is the Council's opinion that an increase may be acceptable in light of what has been allowed at No.29 Bushey Way.

Whilst the existing two properties are not completely symmetrical the increase in the height being now set down from the main ridge height, on balance, may be considered acceptable and would not lead to a complete unbalancing of this pair of semi-detached properties. The wider streetscene is a mixture of different roof designs with the other neighbour No. 9 having a hipped roof with a side dormer. On balance is considered that the roof alterations, in the context of now being set down from the main ridge height would respect the streetscene and wider ASRC.

The rear roofslope is shown to be extended with a rear dormer extension and Juliet balcony. The new rear dormer extension will span for the full width of the roofspace and will be clad in plain tile hanging to match the existing. The design and location of the rear dormer extension spans the width of the roofslope and would be similar to others located in the road. The proposed dormer would be set within the confines of the existing and newly created rooflope.

Neighbouring amenity

Policy BE1 of the UDP and Policy 7.6 of the London Plan 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.

It is not considered that the adjoining neighbour No. 5 will not be unduly affected as a result of the development. No.5 have raised issues regards material & structural concerns to their roof. This is not a material consideration as it would be covered under Building Control regulations. Issues of design and impact to the character of the area have been addressed in the design section above. No.9 has an existing side dormer extension in their roofslope. A side window is shown in the flank elevation of the roofslope. To ensure there is no mutual overlooking or a loss of privacy a condition can be attached to ensure the side window is obscure glazed. The rear patio doors are not considered to cause any more overlooking to the neighbouring rear gardens than the view from the existing rear windows of the property.

Conclusion

Having had regard to the above, it was considered that the proposal 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 surrounding 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(s) in the 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