

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

**Application No :** 18/01386/FULL6

**Ward:**  
**Bickley**

**Address :** 2 Baylis Place, Bickley, Bromley  
BR1 2GB

**OS Grid Ref:** E: 542043 N: 169007

**Applicant :** Paul Baylis

**Objections :** YES

**Description of Development:**

Side extension with roof accommodation over

Key designations:

Biggin Hill Safeguarding Area  
London City Airport Safeguarding  
Open Space Deficiency  
Smoke Control SCA 12  
Smoke Control SCA 13

**Proposal**

Planning permission is sought for the construction of a part one/two storey side extension to the host dwelling. The extension would incorporate a hipped roof over which would align with the ridgeline of the original dwelling and would be a continuation of the front and rear roof slopes.

At ground floor level it is proposed to provide a front facing window with a stone surround to match the main dwelling. The south eastern flank elevation would include a set of French doors. At the rear a window serving a proposed utility room would be provided. At the rear, the extension would include a pitched roof over the single storey part of the extension which would align with the existing rear projection at ground floor.

2 no. rooflights are proposed to be provided in the deeply sloping flank roof which slopes down from the main ridge height to an eaves height on the flank elevation of approx. 2.6m.

**Location and Key Constraints**

The application site lies at the rear of No. 17 Bickley Road. An access road runs between Nos. 17 and 19 to serve the dwelling and its neighbouring property, No. 1 Baylis Place, each of which have been constructed within rear severance sites. Nos. 17 and 19 are Grade II Listed buildings. No. 17 was the stables for No. 19, which is a substantial Edwardian-style house.

The host dwelling is of modest scale, with limited first floor accommodation lit from the front by inset dormers. The dwelling occupies an unusually shaped site and lies at a slight angle to the access drive. The site backs onto Nos. 11 and 12 Heath Park Drive. The boundary with No. 11 is tapering, with space to the boundary generally increasing towards the rear of the flank elevation and a pinch point towards the centre of the flank elevation.

The host dwelling incorporates a flat roofed single storey garage which lies immediately adjacent to the boundary with the adjacent dwelling at Wessex Place.

### **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

- Concern regarding the impact of the proposal on the outlook and privacy of No. 17 – and regarding the impact of the existing dwelling.
- Impact of the proposal on the character and appearance of the area – disproportionate development.

#### Consultees

Highways: The proposal would increase the size of the property from to 3 to 4 bedrooms.

The application site is located in a gated private road where the PTAL rating is 2 (low) and where car ownership could be expected to be associated with occupiers of the property. The Council's parking standards require a minimum of 1.5 parking spaces.

The existing garage/drive can readily accommodate 3 to 4 cars.

There are no objections to these proposals from the highway point of view.

### **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
- 7.8 Heritage assets and archaeology

#### Unitary Development Plan

- H8 Residential extensions
- H9 Side space
- BE1 Design of new development
- BE8 Statutory listed buildings

#### Draft Local Plan

- 6 Residential Extensions
- 8 Side Space
- 37 General Design of Development
- 38 Statutory Listed Buildings

#### Supplementary Planning Guidance

- SPG1 - General Design Principles
- SPG2 - Residential Design Guidance

## **Planning History**

The application site has an extensive planning history, relating in the most part to multiple applications over a period of several years for the construction of the host dwelling.

06/01831/FULL1 Planning permission refused for the erection of a detached dwellinghouse at the rear of No. 17 Bickley Road. Appeal dismissed.

07/01464/FULL1 Planning permission refused for the erection of a three bedroom detached dwellinghouse with detached single garage. Appeal dismissed.

08/01582/FULL1 Planning permission granted at appeal for the erection of a detached two storey three bedroom dwellinghouse with 2 car parking spaces.

08/03245/FULL1 Planning permission granted at appeal for the erection of a detached two storey 3 bedroom dwellinghouse with 2 car parking spaces.

09/03259/FULL1 Planning permission granted for revisions of the scheme granted planning permission under 08/03245 to include an increase in width and depth of the dwelling and changes to the design. The increased width related to the elevation positioned towards the boundary with No. 15 Bickley Road.

12/00618/FULL1 Planning permission granted for the retention of the detached two storey dwelling as constructed, without the discharge of conditions. Application was submitted to regularise the failure to discharge necessary conditions as well as the construction of a shed. Works associated with the construction of an attached garage had commenced but were stopped, to be the subject of a separate planning application.

17/02183/ELUD Lawful Development Certificate for existing single storey attached garage granted, on the basis that on the balance of probabilities the single storey garage was constructed more than 4 years before the submission, and was therefore lawful.

## **Considerations**

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

- Design
- Heritage Impact
- 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.

Policy BE1 of the UDP states inter alia that development should be imaginative and attractive to look at, complementing the scale, form, layout and materials of adjacent buildings and areas. With regards to development of two or more storeys Policy H9 of the Unitary Development Plan states that normally a minimum of 1m side space will be required to be retained in such circumstances to ensure adequate separation and to safeguard the privacy and amenity of adjoining residents, as well as to prevent a cramped appearance and unrelated terracing from occurring. Policy H8 of the UDP states at H8(ii) that space or gaps between buildings should be respected or maintained where these contribute to the character of the area.

With regards to design, the NPPF at paragraph 58 states that developments should "respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation." It is stated that innovation, originality and initiative should not be stifled, while noting that it is proper to seek to promote or reinforce local distinctiveness (paragraph 60). Adopted SPG2 paragraph 2.2 states inter alia that extensions should respect the composition of the host building and that care should be taken to retain the architectural integrity of the host building. Very large extensions which overwhelm their host buildings are unlikely to be acceptable.

The proposed extension would be set over two storeys, with a narrower first floor element positioned above the wider ground floor element which is noted to be set in close proximity to the flank boundary of the site. The other flank elevation, to the north western side of the dwelling, immediately abuts the boundary at ground floor level. It is acknowledged that the existing separation between the dwelling and the irregular boundary with the rear of No. 11 Heath Park Drive is not consistent, and that the separation between the proposed extension and the boundary would not be uniform. However, the orientation of the dwelling in relation to the boundary, the secluded backland position of the dwelling and the limited extent to which that boundary is appreciable mitigates the impact of the lack of side space provided to the south eastern side of the dwelling.

The visual impact of the development is increased by the lack of subservience to the host dwelling, with the elongation of the ridgeline blurring the visual distinction between the original dwelling and the extension. However, the modest width of the extension and the continuation of the existing roof profile results in a development that does not appear excessively bulky or disproportionate in the context of the host dwelling and neighbouring buildings. On balance, while the development results in the dwelling occupying almost the full width of the site, the particular setting of the development relative to surrounding buildings limits the impact of the proposal on the character and visual amenities of the area to an acceptable degree.

The planning history of the site is noted, with the gradual reduction in the scale and extent of development to reach the point where the development was acceptable in visual amenity terms providing background to the current scheme. In allowing the appeal under reference 08/01582 the Inspector considered that the plot size would be adequate for the size of house proposed and that "sufficient space would be maintained around the building to avoid a cramped appearance." These comments are noted. Taking into account the single storey nature of the development adjacent to either flank boundary and the existing landscaping buffer and the generous separation to the building at No. 1 Baylis Place it is not considered that strong grounds exist from a visual amenity perspective to warrant the refusal of planning permission in this specific instance.

### Heritage Assets

The NPPF sets out in section 12 the tests for considering the impact of a development proposal upon designated and non-designated heritage assets. The test is whether the proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset and whether it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits. A range of criteria apply.

### Impact on Listed Buildings and their setting

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a duty on a local planning authority, in considering development which affects a listed building or its setting, to have special regard to the desirability of preserving the building or its setting, or any features of architectural or historic interest it possesses.

The NPPF also states that great weight should be given to the conservation of heritage assets (para.132).

As a consequence of the siting of the dwelling and the extent of the existing house it is not considered that the proposed development would be harmful to the setting of the adjacent listed building.

### 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.

It is noted that representations have been received expressing concern at the visual impact of the existing and proposed extended dwelling on the outlook from the frontage building at No.17, as well as impact on privacy. It is not considered that the proposed extension would have a significant impact on the amenities of the neighbouring dwelling taking into account the back-to-back separation between

the properties, the screening afforded by the existing boundary planting and the lack of additional front facing first floor windows in the application proposal.

Having regard to the scale, siting, separation distance, and 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 proposal would not have a significant impact on visual and residential amenity and that the separation between the dwelling and the frontage listed building would limit the impact of the proposed side extension on the setting of that dwelling.

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.**