

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

Application No : 18/01104/FULL6

Ward:
Cray Valley West

Address : 7 Sherborne Road Orpington BR5 1GX

OS Grid Ref: E: 545737 N: 167997

Applicant : Mr J. Yusuf

Objections : YES

Description of Development:

Creation of basement, roof alterations to include partial hip to gable and rear dormer, demolition of garage and erection of two storey front/side extension, elevational alterations and terrace with steps to rear (amendment to permitted ref 16/03526/FULL6)

Key designations:

Biggin Hill Safeguarding Area
Biggin Hill Safeguarding Area
London City Airport Safeguarding
London City Airport Safeguarding
Smoke Control SCA 23

Proposal

The previous application, 16/03526/FULL6, was presented to Plans Sub Committee 4 on 6th October where Members resolved to defer the application, without prejudice, to seek a reduction in bulk of the roof and give further consideration to the proposed forward projection. Revised plans were submitted on the 15th November which reduced the height of the roof and the forward projection of the front extension. The original submission projected 0.7m forward. The revision reduced the forward projection to 0.338m from the front elevation. The revised application was granted planning permission by Committee on the 18th November. This current application seeks permission to increase the two storey forward projection by 0.5m (new forward projection 0.8m deep).

The proposed two storey front/side extension will project 2.65m from the existing flank elevation and will be 9.7 deep, projecting 0.8m forward of the existing front elevation. The existing garage will be removed to accommodate the proposal and provides 1.189m side space. The proposed basement will be 3m wide and 9.7m in length. It will not project beyond the footprint of the dwelling.

The proposed roof alterations include a partial hip to gable extension and a rear dormer, utilising the roof space created by the proposed side extension. One

skylight is proposed for the flat central section of roof and three front rooflights are proposed.

Elevational alterations include alterations to the front entrance and the insertion of a first floor window within the existing rear elevation. A raised terrace with steps to the rear is also proposed.

Location and Key Constraints

The application site is a two storey detached property located on the northern side of Sherborne Road. The site is not located within a Conservation Area nor is the property listed.

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

- This is the second application at this site
- They were asked to scale down their original proposals and were granted permission on this basis
- They are now attempting to revert back to the original proposal
- The soil vent pipe has been re-positioned and looks odd from the front
- The projection at the front has increased and the roof line is not symmetrical
- Creating a precedent with the basement
- Could potentially damage neighbouring properties
- Over dominant, unsightly and an overdevelopment of the site.
- Not in keeping with the street
- Unbalanced look
- Plans do not indicate the total height which seems to be higher than the original plan submitted
- Contrary to BE11 as it does not respect or compliment the layout, scale, form and materials of the existing buildings and spaces, nor does it respect and incorporate the design, existing landscape or other features that contribute to the character, appearance or historic value of the Petts Wood Garden Estate.
- The proposed changes will further erode the original character of the house.
- 7 roof lights have been included
- The soil vent pipe results in an obtrusive feature, extending 2m higher than the chimney stack
- Proposed changes create a flat roof not seen anywhere in the road
- Cat slide roof is quite characteristic for the area and would be a shame to see it replaced
- Inevitable disruption to the bus route
- Impact on parking
- The arch, which is a major architectural feature, will disappear from the porch creating a very boxy look at the front
- Loss of privacy from dormer

- Large conifer will need to be trimmed/removed, exacerbating the loss of privacy

Local Group (Petts Wood & District Residents' Association):

- This revision to the approved scheme is seeking to renegotiate on the advice and original amendments requested by Plans-sub Committee 4 i.e. the forward projection and the roof height
- Forward projection has been increased by 485mm on the two storey front/side extension including basement, contrary to the committee and will reduce the amount of space in the front garden/driveway, resulting in loss of parking in the area
- This revised scheme is not only higher than the approved scheme but seeks to include a wider, flat crown section which will look particularly incongruous within the street scene.
- The addition of three mismatched roof lights into the front elevation adds to the visual clutter and the incongruity of this proposal within the street scene.
- The soil vent pipe is clearly visible from the front elevation. It will protrude almost 1m above the top of the roof. This will be a dominant and discordant feature
- Garage would be lost - impact on on-street parking
- Views through to the trees / back gardens would be lost
- Proposed basement would set a very unwelcome precedent and could impact on neighbouring properties and ground water flow
- Overlooking from dormer
- Overdevelopment

Comments from Consultees

Thames Water:

- Waste Comments:
 - Thames Water requests that the Applicant should incorporate within their proposal, protection to the property by installing for example, a non-return valve or other suitable device to avoid the risk of backflow at a later date, on the assumption that the sewerage network may surcharge to ground level during storm conditions.
 - As you are redeveloping a site, there may be public sewers crossing or close to your development. If you discover a sewer, it's important that you minimize the risk of damage. We'll need to check that your development doesn't reduce capacity, limit repair or maintenance activities, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes. <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>.
 - 'We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole

installation, testing and site remediation. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Should the Local Planning Authority be minded to approve the planning application, Thames Water would like the following informative attached to the planning permission: "A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing wwqriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality."

- Thames Water would advise that provided the developer followed the sequential approach to the disposal of surface water we would have no objection to the proposed development.

- Water Comments:
 - In reviewing the Councils' weekly list for planning applications, Thames Water has identified this application as one of interest to us. Whilst we recognise that there is no statutory requirement for you to consult us, we would respectfully ask to be pro-actively consulted on all similar applications in future, so that the adequate provision of water industry infrastructure can be assessed and considered as part of the decision process.
 - On the basis of information provided, Thames Water would advise that with regard to water network and water treatment infrastructure capacity, we would not have any objection to the above planning application. Thames Water recommends the following informative be attached to this planning permission. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

Highways:

- The change from the approved 2016 scheme seems to be an increase in height of the extension. I would have no comments on the application.

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

- 16/03526/FULL6 - Creation of basement, roof alterations to include partial hip to gable and rear dormer, demolition of garage and erection of two storey front/side extension, elevational alterations and terrace with steps to rear - Permitted 09.01.2017

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 application under planning ref. 16/03526/FULL6 for a "Creation of basement, roof alterations to include partial hip to gable and rear dormer, demolition of garage and erection of two storey front/side extension, elevational alterations and terrace with steps to rear".

This previous application was presented to Plans Sub Committee 4 on 6th October where Members resolved to defer the application, without prejudice, to seek a reduction in bulk of the roof and give further consideration to the proposed forward projection. Revised plans were submitted on the 15th November which reduced the height of the roof and the forward projection of the front extension. The original submission projected 0.7m forward. The revision reduced the forward projection to 0.338m from the front elevation. The revised application was granted planning permission by Committee on the 18th November.

This current application seeks permission to increase the two storey forward projection by 0.5m (new forward projection 0.8m deep). The proposal also includes a reduction in roof height. Roof lights are also proposed in the front and side roof slopes.

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.

This application seeks permission for the creation of a basement, roof alterations to include partial hip to gable and rear dormer, demolition of garage and erection of two storey front/side extension, elevational alterations and terrace with steps to rear. Revised plans, received 08/05/2018, to remove the upstand element of the roof ridge.

The proposed basement will be 3m wide and 9.7m in length and it will not project beyond the footprint of the dwelling. The principle of a basement on this site has been established under planning ref. 16/03526/FULL6. Due to the nature of the proposed basement being below the property it is considered that this would have no impact on the amenities of any adjoining residential properties with regards to loss of light, outlook or visual amenity, nor an impact on the street scene. Concerns raised by the neighbouring property with regards to the structural stability of the extension and effect on the stability of neighbouring properties are noted, however, these matters would be considered under Building Regulations and would not be a material planning consideration.

The proposed two storey front/side extension will project 2.65m from the existing flank elevation and will be 9.7m in length, projecting 0.8m forward of the existing front elevation. The existing garage will be demolished to accommodate the proposal. Policy H9 of the Unitary Development Plan (UDP) seeks to prevent a cramped overdevelopment of a site. It requires any extensions of two or more storeys to have a minimum of 1m side space for the full height and length of an extension. The current proposal will provide 1.189m to the western boundary thereby compliant with Policy H9 of the UDP.

The proposed roof extension will enlarge the roof and changing its design to include a partial hip. The partial hip to gable and rear dormer has already been permitted under planning ref. 16/03526/FULL6. Amended drawings were received on 8th May 2018 which removes the central upstand roof element. The current proposal also includes front and side roof lights. The existing property has a catslide roof and concerns have been raised regarding the loss of this architectural feature. It was noted that whilst No.9 is of a similar design, the street consists of a

variety of roof forms and design features and therefore the proposed side extension and roof alterations are not considered to result in a detrimental impact on the character of the area or the street scene in general, in compliance with Policy H8 of the UDP.

Having regard to the form, scale, siting and proposed materials (delete as appropriate) it is considered that the proposed extension(s) would complement the host property and 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 appears from the plans to be too small to be used as a garage. The proposal is set back approximately 8.5m from the street and provides one off street parking space. Furthermore, on street parking is available.

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.

With regards to the neighbouring property to the west, No.9, the proposed two storey extension will not project beyond the existing rear elevation, and will not project forward of the existing two storey bay window. As such, the proposed extension is not considered to impact on the amenities of this neighbouring property with regards to loss of light, outlook or privacy.

With regards to the neighbouring property to the east, the proposed extension provides a minimum of 1.189m side space to the flank boundary. The proposal includes the insertion of two first floor flank windows in the western elevation to serve a landing and bathroom. It is considered appropriate to impose a condition on any approval to ensure the first floor windows are non-opening below 1.7m and obscure glazed to prevent any additional opportunities for overlooking and subsequent loss of privacy to both the host dwelling and neighbouring property.

The proposed dormer will contain two windows in the rear elevation. The dormer would result in some additional overlooking due to its elevated position, however this is not considered to be materially worse than the existing first floor windows.

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, over and above that already permitted under planning ref. 16/03526/FULL6.

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, over and above that already permitted under planning ref. 16/03526/FULL6.

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 western flank 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