

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

**Application No :** 18/00318/FULL6

**Ward:**  
Chelsfield And Pratts  
Bottom

**Address :** 29 Summerhill Close Orpington BR6  
9PX

**OS Grid Ref:** E: 545165 N: 165033

**Applicant :** Mr Vamsi Purighalla

**Objections :** No

**Description of Development:**

Proposed side extension (ground and first floor) and ground floor front porch

**Key designations:**

Biggin Hill Safeguarding Area  
London City Airport Safeguarding  
Smoke Control SCA 14

**Proposal**

The proposal involves a part one/two storey side/front extension which would have staggered flank elevation with a width of between 4m and 2.7m which would span the full length of the property and would project by 1.3m beyond the front elevation. The two storey element would have a pitched roof with a maximum ridge height of 8m and would have a gable feature to the front which is stepped down from main ridge and would have a height of 7m. The single storey front extension would have a front projection of 1.3m, a width of 2.2m and would have a mono pitched roof with a height of 3m.

Revised plans were received on 26th April 2018 showing a reduction in forward projection of the part one/two storey front extension from 2.3m to a maximum of 1.3m and a reduction in height of the front gable from a ridge height of 7.4m to 7m.

**Location and Key Constraints**

The application site hosts a semi-detached dwelling which is situated on the north eastern side of Summerhill Close, near to the turning point of the Close. The site does not fall within any designated land.

The Close is characterised by predominantly semi-detached dwelling of a similar appearance to the host dwelling and some terraced dwellings.

## **Comments from Local Residents and Groups**

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

## **Comments from Consultees**

No consultee comments were received

## **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

BE1 Design of New Development  
H8 Residential Extensions  
H9 Side Space  
NE7 Development and Trees

## Draft Local Plan

6 Residential Extensions  
8 Side Space  
37 General Design of Development  
73 Development and Trees

## Supplementary Planning Guidance

SPG1 - General Design Principles  
SPG2 - Residential Design Guidance

## **Planning History**

There is no relevant planning history relating to the application site.

The following application, which relates to the adjoining semi-detached dwelling at No. 30 Summerhill Close is however considered to be of relevance to this application:

16/02447/FULL6 - Part one/two storey front/side and rear extension - Allowed on appeal

The Inspector stated in their appeal decision the following, which is of relevance to this application:

"The dwellings themselves are broadly similar in appearance, with most having rendered frontages and tiled roofs. However, a variety of gabled and hipped roof forms are present, and a number of dwellings have two storey side extensions."

"The appeal property in forming part of the arc of the Close is in a reasonably prominent position, and the extension would be a visible addition. However, the front building lines within the arcs do not follow an exact curve, and furthermore a number of dwellings within both arcs, have already been extended. In particular, the dwelling located on the opposite side of the Close to the appeal dwelling, No 3, appears to have already been extended to the front and has a prominent front gable which sits forward relative to the adjacent property, and has a fairly shallow front garden area. In this respect my view is that the proposed extension would to some extent provide a balance to the two sides of the Close when viewed from its entrance. Also, given the variety of roof forms and extensions already present in the local street scene, this extension would not appear out of place."

In the present case this spacing would clearly not be met at a number of points along the length of the extension. However, as this plot widens towards its frontage and the building itself is reasonably well set back in what is a wide and spacious road area, my view is that this extension would not appear as an over-development of this plot."

"Furthermore, whilst a 1m spacing is the 'normal' policy requirement, it is clear that this has not been adhered to in a number of cases around the Close, and the present proposal would not appear as an unusual addition in this respect."

## **Considerations**

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

- Design
- 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 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 states that the design and layout of proposals for the alteration or enlargement of residential properties will be require (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 policy 6.

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.

Policy H9 of the UDP states that when considering applications for new residential development, including extensions, the Council will normally require 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.

The proposed two storey side and front extension would have a staggered flank elevation as a result of the tapered boundary line and would have a side space of between 1.3m at the front of the extension, reducing to 0.65m at the rear. Although this would not comply with the normal side space requirements of Policy H9 where the gap to the boundary narrows towards the rear of the extension, there are examples of two storey side extensions which have less than 1m side space around the Close, including a recent example to the attached semi-detached dwelling which was allowed on appeal (application ref. 16/02447) and has subsequently been constructed. This property has a similar extension to that proposed in this case, with a gap to the flank boundary of 0.35m at its narrowest and 1.1m at the front. In this case, given the more generous side space proposed, it is considered that adequate separation would be maintained to the flank boundary to prevent a cramped appearance in the street scene, having particular regard to the other similar forms of development that already exist in the street.

The extension is matching in materials and design features to the original dwelling which is considered acceptable. Whilst it is noted that the width of the extension is substantial, with a width of 4m projecting beyond the existing flank wall, it would be well set back from the site frontage and the front elevation is set back from the attached property at No. 30 and would not project beyond its main front elevation. In addition to this neighbouring property having a similar extension carried out and other examples of two storey side extension with differing roof treatments and front gable features in the area, it is not considered that the development would appear unduly prominent nor incongruent within the wider street scene.

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.

### 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 proposal would result in the loss of an on-site parking space as a result of the demolition of the side garage however the property is well set back from the highways and there is an existing drive with a significant length which would provide two parking spaces. Therefore, it is not considered that the proposal would result in a detrimental impact on highways safety or the free flow of traffic.

## 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.

The neighbouring property to the north, No. 28, would be sited a significant distance from the proposed extension, with a gap of at least 3.2m away and the proposal would continue to be approximately level with the rear elevation of this neighbouring property, albeit the rear elevations are on an angle to each other given the bend in the road. There is a flank window to No. 28, however given its siting, it is likely that the window serves the stairwell and hallway and therefore is not a main source of light or outlook to a habitable room. The proposal would project by 1.3m from the front elevation for two storeys. This would however be situated at the widest separation between these two neighbouring properties, with a distance of approx. 4.8m. Additionally, the front gable projection is stepped down in height from the main ridge level 7m which lessens its bulk. On balance, it is considered that the level of separation would be sufficient and the proposal would not have a harmful visual impact or loss of outlook, light or prospect to No. 28.

The proposed part one/two storey front extension would be separated by 3m from the adjoining semi-detached property, No. 30, and this neighbouring property projects 1.3m forwards of the host dwelling. The proposal would not be visible from the front windows of this neighbouring property and therefore it is not considered that the proposal would have a harmful impact on the residential amenity of No. 30.

Having regard to the scale, siting, separation distance and orientation 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 first floor flank window(s) it is not considered that an unacceptable loss of privacy to neighbouring dwellings would arise.

## CIL

The Mayor of London's CIL is a material consideration. CIL is not payable on this application and the applicant has completed the relevant form.

## **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 or spatial standards 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**  
**as amended by documents received on 26.04.2018**

**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: To comply with 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 UDP and in the interests of visual and residential amenity.**

- 4** No windows or doors additional to those shown on the permitted drawing(s) shall at any time be inserted in the first floor flank elevation(s) of the extension; hereby permitted, without the prior approval in writing of the Local Planning Authority.

**Reason: In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of the amenities of the adjacent properties.**

- 5** Before the development hereby permitted is first occupied the proposed window(s) in the first floor north 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**