

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

Application No : 17/05383/FULL1

Ward:
**Bromley Common And
Keston**

Address : First Floor Flat 46 Southlands Road
Bromley BR2 9QP

OS Grid Ref: E: 541572 N: 168056

Applicant : Mr V. Singham

Objections : No

Description of Development:

First floor rear extension to first floor flat and elevational alterations.

Key designations:

Biggin Hill Safeguarding Area
London City Airport Safeguarding
Smoke Control SCA 19

Proposal

The application proposes a first floor rear extension with a maximum depth of 5.3m, and a minimum depth of 3.4m. It would have a width of 4.1m, an eaves height of 4.6m and a ridge height of 6.9m.

The extension would be set 1.4m from the common boundary with number 44.

It also includes reconfiguring the roof of the existing ground floor extension and insertion of a window in the flank elevation

Location and Key Constraints

The application site is an end of terrace property which hosts a ground and first floor flat on the South Western side of Southlands Road, Bromley.

Comments from Local Residents and Groups

Nearby owners/occupiers were notified of the application and no representations 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 makers 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
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:

- 89/01139/FUL; R/O 46 Southlands Road Change of use detached garage to office; Refused
- 89/02248/FUL; Change of use of ground floor from residential to doctors surgery; Permitted
- 90/01679/FUL; R/O 46 Southlands Road Change of use from coach house to ground floor retail with storage on first floor; Permitted
- 91/00336/FUL; R/O 46 Southlands Road Single storey side extension with 2m high front boundary wall and gates and shopfront to coach house. Section 63 Application; Permitted
- 95/01076/FUL; Single storey rear extension and change of use of first floor to surgery; Refused
- 96/02810/FUL; Change of use of first floor from residential to Doctors Surgery and rear single storey extension for waiting room; Permitted
- 03/01037/FULL2; Change of use from doctor's surgery to residential dwelling; Permitted
- 03/04406/FULL3; First floor side extension and change of use of building at rear from offices (Class B1) to hot food takeaway (Class A3) at ground floor and one bedroom flat at first floor level with first floor side extension; Refused
- 04/03427/FULL6; 1.5m high boundary railings and side porch RETROSPECTIVE APPLICATION; Refused
- 05/01293/FULL1; Conversion into 2 flats; Permitted
- 10/00827/EXTEND; Extension of time limit for implementation of permission 05/01293 granted for conversion into two flats; Permitted
- 12/00085/FULL1; Ground and First floor Side Extension and Conversion of first floor into self-contained one bedroom flat with existing ground floor shop below; Refused
- 16/03786/FULL1; Loft conversion including rear roof extension and second floor rear extension in order to provide additional accommodation to the existing first floor flat, with installation of roof lights to front roof slope; Permitted

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.

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 extension would complement the host property and would not appear out of character with surrounding development or the area generally.

The nature of the property on the corner of Southlands Road and Chatterton Road means that the extension would be highly visible from the highway, however the design of the roof and redesign of the ground floor roof would help to maintain and somewhat improve the appearance at the rear of the property. The extension would be set-back from the boundary with Chatterton Road at first floor level; however an existing ground floor element exists up to this boundary line. Together with the location of the development at the corner Policy H9 could apply as this normally requires a full 1m side space for the full height and depth of the extension. It is noted that there is an already development at ground floor level. In this case H9 of the London Borough of Bromley's Unitary Development Plan (2006) (UDP) is relevant. This policy provides (in part):

"When considering applications for new residential development, including extensions, the Council will normally require the following:

(i) 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;"

This policy seeks to ensure "that the retention of space around residential buildings is essential to ensure adequate separation and to safeguard the privacy and amenity of adjoining residents. It is important to prevent a cramped appearance and unrelated terracing from occurring. It is also necessary to protect the high spatial standards and level of visual amenity which characterise many of the Borough's residential areas."

It is noted that, the presence of the term 'normally' in the body of UDP policy H9 strongly implies, a need for discretion in the application of the having regard to several factors including the characteristics of the site and its surroundings, the precise nature of the proposal and the objectives of the policy as set out in the explanatory text.

In this case, given the location at the corner and design of the scheme it is not considered that the development would result in unacceptable terracing or harm the spatial qualities of the area. It is also noted that there is a large development on the opposite corner. Therefore it would not be significantly out of character and subject to the use of matching materials, which could be controlled by way of a condition, the development would not result in harm to the character and appearance of the property or area in general.

The insertion of an additional window at first floor would not have any significant impact on the character of the host dwelling or 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.

The first floor extension would be set 1.4m from the common boundary with number 44 and this would help to maintain an acceptable level of outlook and amenity for this adjoining occupier, especially when considered with the relatively low eaves height proposed.

The proposed windows would be to the rear and the flank elevation which face onto Chatterton Road, it is considered that there would be no loss of privacy here or increase in overlooking as a result.

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.