

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

Application No : 18/01376/FULL6

Ward:
Shortlands

Address : 24A Malmaison Way Beckenham BR3
6SA

OS Grid Ref: E: 538424 N: 168186

Applicant : Mr & Mrs Trainer

Objections : YES

Description of Development:

Single storey rear extension, first floor rear extension and conversion of loft space to form habitable accommodation incorporating front and rear dormers. Single storey front extension and replacement of existing hipped roof over existing first floor front extension with a gable ended roof.

Key designations:

Conservation Area: Park Langley
Biggin Hill Safeguarding Area
London City Airport Safeguarding
Open Space Deficiency
Smoke Control SCA 21
Smoke Control SCA 9

Proposal

The application seeks planning permission for a single storey rear extension, first floor rear infill extension, single storey front extension and roof alterations.

The proposed single storey rear extension will project 2.1m in depth with a width of 10.9m before narrowing to project a further 2.5m in depth at a width of 9.7m. The extension will have a flat roof measuring 3.1m in height with two roof lanterns that project 0.5m. The roof of the extension will have a small canopy on all three sides which overhangs by 0.6m.

The proposed first floor rear infill extension will bring the south-west corner out in line with the rearmost elevation. It will project 1.8m in depth and 3.9m in width with one window facing onto the rear garden.

The proposed single storey front extension will project 1.4m forward of the existing reception room for a width of 3.8m before projecting a further 0.9m with a width of 1.8m. It will have a pitched roof measuring 3.5m in height at its maximum and will include a window within the front elevation. It is also proposed to replace the existing garage door with a panelled garage door.

The proposed roof alterations consist of raising the roof ridge height by 1.0m, one front dormer and two rear dormers and the replacement of existing hipped roof over the first floor front with a gable ended roof. It is also proposed to install a window to the gable ended roof and one roof light to the front roofslope.

Location

The application site comprises a two storey detached dwellinghouse located on the south-eastern side of Malmains Way, Beckenham. The property is located within the Park Langley Conservation Area.

Comments from Local Residents and Groups

Nearby owners/occupiers were notified of the application and representations were received which can be summarised as follows:

- The property has already been extended and any increase in size will encroach on neighbouring properties.
- The footprint will be too large and out of proportion for the plot and will be out of character with the neighbourhood.
- The size, bulk and lack of subservience will harm the character and appearance of the host dwelling and the Conservation Area.
- Proposed dormer windows do not adhere to the guidance within the Conservation Area's SPG.
- The addition of dormer windows is out of keeping with the Conservation Area and detracts from the character of the neighbourhood and surrounding properties.
- The proposed dormers will overlook the front bedrooms of our property resulting in loss of privacy.

Comments from Consultees

Conservation Officer:

The existing house is relatively modern having been built in the side garden of 24. The main change to the front would be the addition of a dormer and the provision of a full height gable projection. The porch would not be harmful. Given the houses on either side have such gables, and dormers are common in the area, I do not see any cause for concern. The rear alterations would not impact negatively on the CA. Overall I see the proposal as being in accordance with BE11 and if minded to recommend permission I suggest all materials are conditioned.

APCA: Object. This is overdevelopment and poor design contrary to Policies BE1 and BE11. Front dormers are not suitable in a Conservation Area.

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:

- 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

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

BE1 Design of new development

BE11 Conservation Areas

Draft Local Plan

6 Residential Extensions

37 General Design of Development

41 Conservation Areas

Supplementary Planning Guidance

SPG1 - General Design Principles
SPG2 - Residential Design Guidance
SPG - Park Langley Conservation Area

Planning History

The relevant planning history relating to the application site is summarised as follows:

10/01712/FULL6 - Single storey rear extension, new pitched roof to front and front bay window. First floor front extension - Application Permitted.

10/01712/AMD - Roof alteration to first floor front extension and variation in external materials - Amendment requires planning permission.

11/01540/FULL6 - Single storey rear extension, covered front porch with pitched roof. First floor front extension - Application Permitted.

Considerations

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

- o Design
- o Neighbouring amenity
- o Heritage Impact

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.

The host dwelling currently benefits from a single storey rear extension that projects 2.1m in depth from the rearmost wall. The proposed single storey rear extension will project a further 2.5m in depth and will be stepped in at either side by 0.6m. The proposed extension would leave a distance of 35.0m from its rearmost wall to the end of the rear garden. Taking into consideration the generous plot size it is considered that the proposed depth and height of the extension would be subservient to the main dwelling and not overdevelop the site as a whole. Aside from the windows the proposed materials will match those of the existing dwelling which will be complementary and compatible with the application site and developments in the surrounding area. This element of the proposal would not be

visible from the street and so will not harm the character of the area or the streetscene in general.

The proposed first floor rear infill extension will bring the rear wall of the south-west corner back in line with the rearmost elevation. The infill extension will not add a significant bulk to the host dwelling, increase the footprint of the host dwelling or result in an overdevelopment of the site as a whole. Aside from the windows the proposed materials will match those of the existing dwelling which will be complementary and compatible with the application site and developments in the surrounding area. This element of the proposal would not be visible from the street and so will not harm the character of the area or the streetscene in general.

The proposed single storey front extensions size, scale and bulk would alter the appearance of the host dwelling. The extension would be set back a minimum 1.5m from the main front elevation and will have a roof that pitches away from the front and side. It is considered that the extension would be subservient to the main dwelling and not overdevelop the site as a whole because of its pitched roof, modest depth and front elevation being set back from the main front elevation. Aside from the windows the proposed materials will match those of the existing dwelling which will be complementary and compatible with the application site.

The proposed size, scale and bulk for the roof alterations will also alter the appearance of the host dwelling. The proposed increase in ridge height will bring the roof of the dwelling approximately in line with the neighbouring properties either side. The alteration of the roof over the first floor front extension would increase its bulk. However, the separation distance between the properties and the distance from the front element to the highway would be preserved. It is also noted from the site visit that the properties either side of the host dwelling have gable end pitched roofs at the front. The proposed front dormer would be relatively modest in size and it is noted that the neighbouring property, No.24 and a number of other properties within the immediate area benefit from front dormers of various sizes. While the proposed rear dormers would increase the bulk of the rear roofslope they would also be set in from the eaves and have gable end pitched roofs which would lessen their impact. The rear dormers would not be visible from the street and so will not harm the character of the area or the streetscene in general. It is therefore considered that, on balance, the proposed roof alterations would complement the host property and would not appear out of character with surrounding development.

It is proposed to replace all of the existing windows with black powder coated aluminium windows and the garage door with a black panelled garage door. While these will not match the existing it is considered that they will complement the host property and not be so obtrusive as to appear out of character with surrounding development or the area generally.

Having regard to the form, scale, siting and proposed materials it is considered that, on balance, the proposed extension would complement the host property and would not appear out of character with surrounding development or the area generally.

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.

Due to the orientation of the site and the proposed rear extension projecting further to the rear than No.24, it is considered that there would be a visual impact on this neighbouring property. The rear extension would sit 1.5m away from the neighbouring boundary and taking into account the generous plot sizes of both properties it is considered that any visual incursion on No.24 as a result of the rear extension would not be adverse enough to warrant a refusal of the application. It is also noted that there are a number of established trees and shrubs along this boundary which would provide effective screening. The rear extension would sit 1.6m away from the boundary with No.26. Given the orientation of the site and the separation distance it is not considered that any visual impact on No.26 would not be adverse enough to warrant a refusal of the application. The proposed windows in the rear elevation would not result in overlooking or an increased loss of privacy out of character in terms of what currently exists.

The proposed first floor rear infill extension would bring the existing window back in line with the rearmost wall of the first floor which is set slight back from the rear wall of No.24. It is not considered that the proposed positioning and depth of the extension would result in significant harm to either neighbouring property in terms of overshadowing or loss of light. The proposed windows in the rear elevation would not result in overlooking or an increased loss of privacy out of character in terms of what currently exists.

The proposed single storey front extension, due to its proposed depth, height and positioning, would not result in overshadowing or loss of light. Any potential visual impact the proposed front extension may have would not be adverse enough to warrant a refusal of the application.

The proposed roof alterations will result in some visual impact to the neighbouring properties due to its increased bulk. No windows are proposed in either gable end and the proposed front dormer will sit at least 10.0m away from the front boundary of the site. Due to their proposed size and location it is not considered that the proposed front or rear dormers would result in an increased chance of overlooking out of character in terms of that expected within a typical residential layout. It is therefore not considered that proposed roof alterations will result in a significant loss of amenity to neighbouring properties.

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.

Heritage Impact

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a requirement on a local planning authority in relation to development in a Conservation Area, to pay special attention to the desirability of preserving or enhancing the character or appearance of that area.

Interpretation of the 1990 Act in law has concluded that preserving the character of the Conservation Area can not only be accomplished through positive contribution but also through development that leaves the character or appearance of the area unharmed.

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

Policy BE11 of the UDP seeks to preserve or enhance the character or appearance of conservation areas and in particular sets out that an alteration or extension to a building within a conservation area will be expected to respect or complement the layout, scale, form and materials of the existing building and space.

The property falls within the Park Langley Conservation Area. For the reasons outlined above it is considered that the extensions would preserve the character and appearance of the Conservation Area. The Councils Conservation Officer has not raised an objection to the 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 including the Conservation 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: To comply with Section 91, Town and Country Planning Act 1990.

- 2 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.

3 The materials to be used for the external surfaces of the building shall be as set out in the planning application forms and / or drawings unless otherwise 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 appearance of the building and the visual amenities of the area.