

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

Application No : 18/00998/FULL1

Ward:
Kelsey And Eden Park

Address : 26 Manor Road Beckenham BR3 5LE

OS Grid Ref: E: 537620 N: 169426

Applicant : Richard Percy

Objections : YES

Description of Development:

Elevational alterations, part one/two storey rear extension incorporating first floor balcony. Raising of flank walls and roof by 1m. Rear dormer extension and conversion of resultant building into 2 one bedroom and 2 two bedroom flats with 4 car parking spaces at the front.

Key designations:

Areas of Archaeological Significance
Biggin Hill Safeguarding Area
London City Airport Safeguarding
Smoke Control SCA 12

Proposal

Planning permission is sought for elevational alterations, rear extensions, increase in height of roof and rear dormer extension to the host property and the conversion of the resultant dwelling into 2 one bedroom and 2 two bedroom flats. Planning permission was granted under reference 16/04056/FULL1 for a development with a similar scope to that currently proposed. The differences between the scheme approved under 16/04056 are summarised:

- Increase in height of roof from 8.35m to the ridge to 9.47m at the ridge
- Increase in the size/rear projection of the rear dormer. The rear elevation of the dormer as approved terminated inset from the eaves where the current proposal would result in the dormer projecting to the rear by approx. 1.5m, positioned partially upon the flat roof of the first floor rear extension below.
- An additional second floor window proposed to be provided to the landing, in the western flank elevation

The application was supported by the following documents:

- Planning, Design and Access Statement
- Daylight and sunlight study (resubmission of that provided under 16/04056).

Location and Key Constraints

The application site lies on the southern side of Manor Road. The street is residential and is characterised by substantial period properties, many of which have been converted into flats. The host dwelling is more modern in appearance, and is a post-war detached building which comprises 2 three bedroom flats. The host building has a large single storey rear extension.

The site has a reasonably generous rear garden of a depth commensurate with the neighbouring period dwellings, although it has been divided along its length to provide separate gardens for the ground and first floor flats.

To the west of the application site lies No. 24 Manor Road and to the east lies No. 28. No 24 occupies a footprint that projects rearwards of the application building, although this footprint includes a substantial single storey rear extension. The main first floor rear elevation of the dwelling broadly aligns with the host building. The boundary of the application site immediately abuts the flank elevation of No. 24.

To the rear, the application site adjoins the rearmost sections of the rear gardens of No. 1 Bevington Road and No. 2 Manor Grove.

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

- The building is an infill to the neighbouring Victorian houses. The comments on the existing building are noted but the acceptability of the proposed conversion depends on the final detail design and materials used.
- The proposed design uses up a large part of the garden space and it is difficult to see how the occupants of 4 flats will have adequate amenity space.
- The provision of 4 parking spaces is welcome in view of the serious parking problems in the area but it is likely that the occupants of each flat may have more than one vehicle and this will impact the parking in Manor Grove which does not have residents' parking.
- The proposal for 4 small flats is an overdevelopment of the cramped site

Support

- No objections to the revised scheme which is considered to enhance the property.

Comments from Consultees

Drainage Engineer: No objections subject to a condition requiring drainage details.

Highways: The site is located to the south of Manor Road; Manor Road (A222) is a classified road and Local Distributor Route. The development is in an area with PTAL rate of 4 on a scale of 0 - 6b, where 6b is the most accessible).

There are 4 existing car parking spaces in place; the applicant would be retaining these spaces and utilising the existing access arrangement which is acceptable in principle. However the parking space no.2 is front of the entrance; it is not clear how residents will be able to gain access when space no. 2 is occupied.

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 in the NPPF, the greater the weight that may be given).

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.

London Plan Policies

7.4 Local Character

7.6 Architecture

Unitary Development Plan

BE1 - Design of New Development.
H7 - Housing Density and Design
H9 - Side space
H11 - Residential conversions

Emerging Local Plan

37 - General Design of Development
4 - Housing Design
8 - Side space
9 - Residential Conversions

Supplementary Planning Guidance

In support of its policies the Council has produced Supplementary Planning Guidance. SPG1 refers to 'General Design Principles and SPG2 provides residential design guidance. These SPG documents were the subject of a public consultation exercise that commenced in June 2003 and the Council adopted the final documents on 12th January 2004.

Planning History

The recent planning history of the site is summarised below:

Under reference 02/00737 planning permission was refused for the formation of a third floor to form a three bedroom flat, along with a single storey rear extension.

Planning permission was refused under reference 14/04420 for a three storey rear extension, two front dormer windows and the conversion of the building to form 5 flats.

Under reference 15/03084 planning permission was refused for elevational alterations and a part one/two storey rear extension with balconies, a rear dormer extension and the conversion of the building from 2 three bedroom flats to 2 one bedroom and 2 two bedroom flats (4 no. flats in total).

The grounds for refusal of planning permission were:

- 1. The proposal, by reason of its height, design and excessive depth, would appear as an overly bulky addition which would fail to respect the scale and appearance of the host building which would be detrimental to the character and appearance of the locality, thereby contrary to Policy BE1 of the Unitary Development Plan.*
- 2. The proposal, by reason of its height, scale, proximity to the boundary and excessive depth of rearward projection would be detrimental to the amenities of the occupiers of adjacent dwellings, resulting in loss of outlook and visual impact, thereby contrary to Policies H7 and BE1 of the Unitary Development Plan.*

A subsequent appeal against the Council's refusal of planning permission was dismissed. The Inspector identified the main issues as being the impact of the scheme on the character and appearance of the host building and the locality and the effect of the scheme on the living conditions of the occupiers of neighbouring dwellings with particular regard to visual impact and privacy.

The Inspector considered that the existing building and the site as a whole has a negative impact on the character and appearance of the locality. The introduction of roof slates was welcomed, but the use of render was considered on balance to result in the frontage of the altered dwelling having a neutral rather than positive impact on the character and appearance of the street scene. At the rear, the depth, materials and curved lines of the proposed upper floor element of the extension was considered to result in development that would be unduly bulky and which would have failed to respect the character and appearance of the host dwelling and the surrounding area. The depth, height and appearance was considered prominent within the rear garden environment and would have appeared as a discordant feature in longer views from Manor Grove and Bevington Road.

The Inspector concluded on this point that the identity of the resultant building would be confused and visually incongruous, materially detracting from the character and appearance of the existing building, the street scene and the rear garden environment. The harm was considered to outweigh the contribution that the two additional flats would make in providing housing to meet the housing targets.

With regards to living conditions, the Inspector stated that the first floor element of the rear extension together with the vertical louvres which were intended to screen the balconies, would have resulted in a dominant visual impact when viewed from the adjacent windows at No. 28 which serve a kitchen and dining room. The rear extension was considered to appear visually hard and incongruous, resulting in a strong sense of enclosure in the outlook from these rooms and it was also considered that there would be an associated loss of daylight and sunlight caused by the extension.

Despite the vertical louvres it was considered that the close proximity of the balcony serving the unit closest to No. 28, that the use of the balcony would have resulted in some loss of privacy. This in itself was not considered materially harmful to the living conditions of the occupier of No. 28, but added to the visually overbearing impact of the development.

The Inspector concluded on this point that the proposed scheme would unacceptably harm the living conditions of the occupier of No. 28 due to its overbearing visual impact.

Under reference 16/04056 planning permission was granted for a reduced development of similar scope to that currently proposed, with the exception of the increased height of the building and the rear projection of the dormer beyond the rear roof slope to lie partly upon the first floor rear extension.

Considerations

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

- Resubmission
- Principle
- Design
- Standard of residential accommodation
- Highways
- Neighbouring amenity
- CIL

Resubmission

The difference between the current proposal and that granted planning permission is that the current scheme incorporates an increase in the ridge height/first floor walls and the provision of a deeper rear dormer that would project beyond the rear roof slope of the property.

Principle

The principle of the residential conversion and the formation of rear extensions of a scale at ground and first floor commensurate with that currently proposed has been accepted in the granting of planning permission under reference 16/04056. There is no in principle objection to the redevelopment of the site so long as the amenities (visual and residential) of the area are safeguarded.

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.

The NPPF requires Local Planning Authorities to undertake a design critique of planning proposals to ensure that developments would function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development. Proposals must establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit; optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses and support local facilities and transport networks. Developments are required to respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation. New development must create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion; and are visually attractive as a result of good architecture and appropriate landscaping.

London Plan and UDP policies further reinforce the principles of the NPPF setting out a clear rationale for high quality design.

In assessing the previous scheme which was granted planning permission it was noted that the successful scheme provided an appreciable visual break between the first floor rear extension and the rear dormer. This application would result in bulkier rear roof development than the permitted scheme and less visually dominant and incongruous development than that dismissed at appeal. On balance, taking into account the siting of the dormer at the rear it is not considered that this aspect of the proposal would have a harmful impact on the visual amenities of the area.

Turning to the increase in the height of the building, it is considered that the principal impact of this aspect of the proposals would be on the visual amenity of the street scene, since at the rear the raising of the height of the building would be of limited visibility in context with the rear dormer and other extensions visually screening this element. In assessing the scheme dismissed at appeal under LBB reference 15/03084 the Inspector considered that the design of the building at the front would have had a neutral impact on the street scene, albeit expressing some concern regarding the design detailing and prominence of the building within the street scene:

"The front elevation of the building would be white painted rendered which would increase the prominence of the building within the street scene. The proposed replacement windows and large expanse of render above the central door would result in the front elevation being plain, with strong and uncharacteristic horizontal lines. In addition, due to their size, proportions and detailing the proposed windows would fail to respect the proportions, size and detailing of the proposed central door. The introduction of slate roof tiles would improve the appearance of the roof of the building and would respect the character and appearance of the locality. For these reasons, despite the welcome introduction of slate roof tiles, the front of the resultant building would, on balance, have a neutral impact on the character and appearance of the street scene."

The front elevation was broadly replicated in the later, successful scheme. It was noted that the property does not lie within a conservation area and the existing building has a negative impact on the character and appearance of the locality. This current proposal increases the separation between the top of the first floor windows and the eaves of the roof, which on balance would increase the visual impact of the resultant building on the street scene. The applicant has submitted revised drawings which improve the design detailing of the front elevation, with the provision of decorative detail above the first floor windows providing a visual focus rather than the enlarged area of render between the windows and the raised eaves.

On balance, it is considered that the overall impact of the proposals would be acceptable and that the proposal would not have a significant impact on the visual amenities of the area.

Standard of residential accommodation

Policy H7 of the UDP sets out the requirements for new residential development to ensure a good standard of amenity. The Mayor's Housing SPG sets out guidance in respect of the standard required for all new residential accommodation to supplement London Plan policies. The standards apply to new build, conversion and change of use proposals. Part 2 of the Housing SPG deals with the quality of residential accommodation setting out standards for dwelling size, room layouts and circulation space, storage facilities, floor to ceiling heights, outlook, daylight and sunlight, external amenity space (including refuse and cycle storage facilities) as well as core and access arrangements to reflect the Government's National Housing Standards.

The London Plan makes clear that ninety percent of new housing should meet Building Regulation requirement M4 (2) 'accessible and adaptable dwellings' and ten per cent of new housing should meet Building Regulation requirement M4 (3) 'wheelchair user dwellings', i.e. is designed to be wheelchair accessible, or easily adaptable for residents who are wheelchair users. The relevant category of Building Control Compliance should be secured by planning conditions.

Policy 3.5 of the London Plan and the Housing SPG (2016) Standard 24 states the minimum internal floorspace required for residential units on the basis of the level of occupancy that could be reasonably expected within each unit should comply with Technical housing standards - nationally described housing standard (2015).

The proposal would provide the same number of flats, but where the previous scheme proposed 3 one bed flat and 1 two bed flat, the current scheme proposed 2 one bed and 2 two bed flats. The size of the accommodation in the roof would be increased as a consequence of the proposal but it is noted that flat 4, located entirely within the roof space, would have limited outlook for prospective occupants (outlook from bedrooms limited to front rooflight). In addition, the bedrooms would be set into the eaves and the proportions of the single bedroom in this flat would be somewhat constrained by the sloping eaves. On balance it is not considered that these issues represent strong grounds for refusal.

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 current scheme would not increase the number of residential units proposed above that granted planning permission under reference 16/04056, where the

provision of 4 parking spaces was considered acceptable to serve the needs of the development.

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 impact of the proposal on the residential amenities of neighbouring residents, it is not considered that the proposal would have a significant impact on daylight and sunlight, and the applicant has provided a daylight and sunlight study. While that document relates to the previous development, the limited increase in depth and height would not, it is considered, significantly undermine the conclusions of the report and in the previous assessment of the former scheme, that the daylight and sunlight to neighbouring properties would not be unacceptably diminished.

With regards to outlook and privacy, the proposal would not result in a significant change in comparison with the previous scheme which was granted planning permission. The additional window to the flank elevation would not serve a habitable room and could, if permission was granted, be reasonably required to be obscure glazed.

It is noted that the amended internal layout of the development results in the provision of a side entrance door to serve flats 3 and 4 on the first floor and within the enlarged roofspace. It is not considered that this would have a significant impact on the residential amenities of the neighbouring property taking into account the relationship between the buildings.

CIL

The Mayor of London's CIL is a material consideration. CIL is payable on this application. The relevant forms have not been completed.

Conclusion

It is considered that the proposed increase in the height of the building and the enlargement of the rear dormer in comparison with that granted planning permission under reference 16/04056 would not have a significant impact on the appearance of the resultant development and the visual and residential amenities 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.

as amended by documents received on 14.05.2018

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 UDP and in the interests of visual and residential amenity.

- 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.

- 4 Before commencement of the use of the land or building hereby permitted parking spaces and/or garages and turning space shall be completed in accordance with the approved details and thereafter shall be kept available for such use and no permitted development whether permitted by the Town and Country Planning (General Permitted Development) Order (England) 2015 (or any Order amending, revoking and re-enacting this Order) or not shall be carried out on the land or garages indicated or in such a position as to preclude vehicular access to the said land or garages.**

Reason: In order to comply with Policy T3 of the Unitary Development Plan and to avoid development without adequate parking or garage provision, which is likely to lead to parking inconvenient to other road users and would be detrimental to amenities and prejudicial to road safety.

- 5 No loose materials shall be used for surfacing of the parking/turning area hereby permitted.**

Reason: In the interest of pedestrian and highway safety and to accord with Policy T18 of the Unitary Development Plan.

- 6 No windows or doors additional to those shown on the permitted drawing(s) shall at any time be inserted in the flank elevation(s) of the extensions 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.

- 7 The flat roof area above the ground floor and first floor extensions shall not be used as a balcony or sitting out area and there shall be no access to the roof areas.

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

- 8 Details of the means of privacy screening for the balcony shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced. The development shall be carried out in accordance with the approved details and permanently retained as such.

REASON: In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of the appearance of the building, the visual amenities of the area and the residential amenities of neighbouring occupants.

- 9 Details of a scheme of landscaping, which shall include use of native plant species where possible, details of all boundary treatment, the materials of paved areas and other hard surfaces, shall be submitted to and approved in writing by the Local Planning Authority before the commencement of the development hereby permitted. The approved scheme shall be implemented in the first planting season following the first occupation of the buildings or the substantial completion of the development, whichever is the sooner. Any trees or plants which within a period of 5 years from the substantial completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species to those originally planted. Furthermore all boundary treatments shall be maintained in perpetuity.

Reason: In order to comply with Policy BE1 of the Unitary Development Plan to secure a visually satisfactory setting for the development and to protect neighbouring amenity.

- 10 Before any part of the development hereby permitted is first occupied boundary enclosures of a height and type to be approved in writing by the Local Planning Authority shall be erected in such positions along the boundaries of the site(s) as shall be approved and shall be permanently retained thereafter.

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

- 11 Details of a surface water drainage system (including storage facilities where necessary) shall be submitted to and approved in writing by the Local Planning Authority before any part of the development hereby permitted is commenced and the approved system shall be completed before any part of the development hereby permitted is first occupied, and permanently retained thereafter.

Reason: To ensure satisfactory means of surface water drainage and to accord with Policy 5.13 of the London Plan.

You are further informed that :

- 1** You should consult the Street Naming and Numbering Section at the Civic Centre on 020 8313 4742 or e-mail: address.management@bromley.gov.uk regarding Street Naming and Numbering. Fees and application forms are available on the Council's website at www.bromley.gov.uk

- 2** You are advised that this application may be liable for the payment of the Mayoral Community Infrastructure Levy under the Community Infrastructure Levy Regulations (2010) and the Planning Act 2008. The London Borough of Bromley is the Collecting Authority for the Mayor and this Levy is payable on the commencement of development (defined in Part 2, para 7 of the Community Infrastructure Levy Regulations (2010)). It is the responsibility of the owner and /or person(s) who have a material interest in the relevant land to pay the Levy (defined under Part 2, para 4(2) of the Community Infrastructure Levy Regulations (2010)). If you fail to follow the payment procedure, the collecting authority may impose surcharges on this liability, take enforcement action, serve a stop notice to prohibit further development on the site and/or take action to recover the debt. Further information about Community Infrastructure Levy can be found on attached information note and the Bromley website www.bromley.gov.uk/CIL