

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

Application No : 18/01635/FULL6

Ward:

Bromley Common And Keston

Address : 5 Regents Drive, Keston BR2 6BU

OS Grid Ref: E: 541630 N: 164223

Applicant : Mr Iain Thrower

Objections : No

Description of Development:

Single storey side/rear extension and first floor side extension

Key designations:

Areas of Archeological Significance
Biggin Hill Safeguarding Area
London City Airport Safeguarding
Sites of Interest for Nat. Conservation
Smoke Control SCA 22
Sites of Special Scientific Interest

Proposal

The proposal is for the erection of part single storey side and rear extensions; comprising boot room, kitchen and reception room and part first floor side extension; comprising ensuite bathrooms to bedrooms 4 and 5. The single storey element would be partially positioned within a niche in the building line of the side elevation and would measure approximately 9.7m deep in maximum depth and 9.5m in maximum width and 3.4 to the top of the flat roof/parapet wall. The first floor element would be positioned partly above the existing sideward projecting utility room and partly above the new proposed single storey side/rear extension measuring approximately 4.5m x 5.2m and 5.3m to the eaves (matching the eaves of the main roof formation) and 7.2m to the ridge height (approximately 0.6m below the ridge height of the main roof formation).

Location and Key Constraints

The site is No. 5 Regents Drive, Keston, a large detached neo-Georgian style dwelling located on the south eastern side of the highway. The land is predominantly level with boundaries marked mainly by 1.8m high close boarded fencing along with trees and other vegetation. There is a double garage positioned in front of the dwelling and attached to it via a single storey link, and a single storey rear conservatory extension. The area is residential in character and Regents Drive is a comprehensive development of 12 similarly designed and sized neo-Georgian dwellings set around a central cul-de-sac. They are generally set within relatively spacious plots most of which fan out towards the rear given the shape of the residential estate/cul-de-sac. Some have been altered and extended. The site is covered by an area Tree Preservation Order with a number of large and prominent trees. It also abuts an Area of Archaeological Significance, SSSI and Site of Interest for Nature Conservation.

Comments from Local Residents and Groups

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

Comments from Consultees

Tree Officer: The site is covered by a TPO which protects any tree established in 1958; therefore the Leylandii hedge to the north of the proposed extension is unlikely to be protected by this TPO.

I have no objections to the proposed extension and do not request any tree related conditions.

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:

- 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

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
- 73 Development and Trees

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:

98/00194/FUL - Erection of single storey side extension was approved on 11 March 1998 and this appears to have been implemented.

Considerations

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

- o Design
- o Highways
- o Neighbouring amenity
- o Trees
- o CIL

Principle

The site lies within an urban area and built up residential area where there is no objection in principle to new residential extensions subject to an assessment of the impact of the proposal on the appearance/character of the building, the surrounding area, the residential amenity of adjoining and future residential occupiers of the scheme, car parking and traffic implications and the heritage impacts.

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.

As mentioned above the dwelling is part of a comprehensive estate of similarly designed dwellings. The proposed extension would include a single storey and a two storey element linked together. Part of the single storey element (boot room) would lie within 1m of the site boundary. The first floor element (en-suite bathrooms) would be separated from the boundary by more than 1m. However according to UDP Policy H9 - Side Space states that new extensions of two storeys or more will normally be required to provide a minimum of 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, and this applies to the extension as a whole. The Side Space Policy H9 seeks to ensure that sufficient space is provided around new buildings and extensions to prevent a cramped appearance and unrelated terracing from occurring as this could reduce the degree of separation between dwellings which would be harmful to the character of the area.

Notwithstanding this, 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 Policy 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.

The proposed single storey boot room element (the part within 1m of the boundary) is modest in size, it lies within an infill area behind the existing garage and would not be directly visible within the street scene, and given its size, scale and context it would not lead to a cramped appearance. The proposed first floor element would be set in from the side boundary by approximately 2.3m at its closest point, it would be set back from the main front elevation and it would also be lower in height than the height of the main roof ridgeline. It would also respect the spacing around the existing dwelling; it would not cause it to appear overdeveloped, cramped or to have a terracing effect with the neighbouring property at No. 4 Regents Drive to the north. Although there would be a technical breach of the H9 Side Space Policy given these circumstances in this particular instance there would be limited actual harm in planning terms from each element and the proposed extension as a whole.

The proposed external materials are stated to match those used in the existing dwellinghouse and this could be managed by planning condition in any event.

The proposal would not appear to directly impact trees or landscaping within the site or in the wider locality and there would be no direct harm to the trees within the Tree Preservation Order, however it would be prudent to ensure that any works; including the storage or movement of plant and materials or the lighting of bonfires do not encroach on trees and/or their root protection areas or canopies and this could be managed by planning condition. Given the scale of the development it is not considered to have an adverse effect on the wider locality and street scene it would not be necessary in this instance to require additional new planting specifically to enhance this particular development.

For these reasons; having regard to the form, scale, siting and proposed materials it is considered that the proposed extension and outbuilding 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.

As mentioned above the proposed extensions would be sufficiently well removed from the site boundaries and the neighbouring dwellings that they would not have a significantly more harmful impact on the amenities of the neighbouring properties by reason of overshadowing or overbearing effect. Furthermore, the main out

The main outlook of the extension would continue to be to the front and rear of the building where there would be limited additional harm by reason of overlooking. Nonetheless, it would be prudent to restrict the insertion of any side flank windows, particularly in the upper floor, in the interest of preserving the privacy amenities of the neighbouring occupiers, and this could be managed by planning condition in the event that planning permission is granted.

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 not technically or directly increase the size of the household in the dwelling through increasing the number of occupants. Nonetheless, there is a double garage and a large forecourt capable of accommodating numerous vehicles, as observed during the site visit, and as such the proposal would not appear to result in additional on-street parking or other effect harmful to highway safety or inconvenience to other highway users.

Ecology

The site itself is not identified as one of particular ecological or biodiversity importance; however it borders the SSSI and Site of Interest for Nature Conservation. Nonetheless, providing that the proposal is carried out and constructed in a precautionary manner regarding the timing; avoiding bird nesting season, and taking care in relation to removing roof tiles, and any vegetation clearance and either covering trenches or providing means of escape in the event that wildlife should fall in then the proposal would not have an overall adverse impact on the wildlife that may be inhabiting, foraging or commuting through the site.

Archaeology

The site lies within an area of Archaeological Significance. However the proposal would involve limited additional ground works and would not have a significantly greater or more adverse impact than when the estate was originally constructed.

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 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: 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 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.

- 4 A side space of shall be provided between the **** flank wall of the extension hereby permitted and the flank boundary of the property.

Reason: In order to comply with Policy H9 of the Unitary Development Plan and in the interest of the visual amenities of the area.

- 5 No windows or doors shall at any time be inserted in the 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.

You are further informed that:

- 1 Before work commences on the extension hereby permitted you should satisfy yourself that the minimum side space to the boundary shown on the submitted drawing can be achieved. Failure to comply with the Council's requirements set out in the conditions above may result in enforcement action being authorised.