

Section '4' - Applications recommended for REFUSAL or DISAPPROVAL OF DETAILS

Application No : 18/00646/FULL6

Ward:
Cray Valley West

Address : 160 Poverest Road, Orpington BR5 1GU

OS Grid Ref: E: 545795 N: 167852

Applicant : Mr & Mrs Agdemir

Objections : No

Description of Development:

Two storey side and part one/two storey rear extension

Key designations:

Biggin Hill Safeguarding Area
London City Airport Safeguarding
Smoke Control SCA 9

Proposal

The proposal involves a part one/two storey side/rear extension which would have a rearward projection of 5.6m at ground floor, a depth of 4.5m at first floor and would extend for the full width of the dwelling and link up to the two storey side extension. The two storey rear extension would have a pitched roof which would be hipped and would have a height of 8.1m. The single storey rear projection would have a mono pitched roof with a height of between 3.3m and 2.9m.

The two storey side extension would have a width of 1.1m and a depth of 10.2m (including the rear projection). The extension would have a pitched roof with a height of between 5.5m and 4.9m.

Location and Key Constraints

The property is situated on the northern side of Poverest Road and the surrounding area is characterise by a mix of bungalows and detached dwellings. The site hosts a two storey detached house with the two adjacent neighbouring sites hosting bungalows.

Comments from Local Residents and Groups

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

The applicant has submitted two letters in support of the proposed plans.

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 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
- H8 Residential Extensions
- H9 Side Space

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:

Application Number	Description	Decision
99/03607	Two storey rear extension.	Permitted
16/00830/FULL6	Outbuilding at rear	Permitted
16/00825/FULL6	Two storey side/rear extension	Refused

The application was refused for the following reasons:

"The proposal would be over-dominant and would be detrimental to the amenities that the current and future occupiers of Nos. 158 and 162 Poverest Road might reasonably expect to be able continue to enjoy by reason of visual impact in view of its bulk, excessive height, depth of rearward projection and proximity to the flank boundary of the site additionally, the first floor windows in the flank elevations would result in a loss of privacy and amenities of the flank windows and amenity space of the neighbouring properties, contrary to Policies BE1 and H8 of the Unitary Development Plan."

Considerations

The main issues to be considered in respect of this application are: (delete or add as applicable)

- o Resubmission
- o Design
- o Neighbouring amenity
- o CIL

Resubmission

The application is a revised scheme following a refusal under ref. 16/00825/FULL6 for a two storey side/rear extension. The proposed amendment involves a reduction in depth of the first floor rear element by 1.1m for the full width of the extension but would retain the same depth at ground floor (5.6m).

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.

Policy BE1 and H8 of the Council's Supplementary design guidance seeks to ensure that new development, including residential extensions, are of a high quality design that respect the scale and form of the host dwelling and are compatible with surrounding development. Furthermore, Policy H8 states that dormer windows into prominent roof slopes and extensions above the existing ridge line will not normally be permitted.

The two storey side extension would be well set back from the front building line (by 2.8m) with a pitched roof which would slope down from the eaves height of the building and therefore it would not dominate the host dwelling and its impact on the street scene would

be minimal. A 1m side space would be retained for the full width and height of the proposed two storey side extension which would meet the minimum side space requirements of Policy H9 and it would not appear out of character with the spatial standards to which the area is presently developed.

Following the previous refusal (ref. 16/00825), the depth of the first floor rear element has been reduced by 1.1m for the full width of the dwelling which would lessen the bulk proposed at the rear and its impact on the host dwelling. The proposed extension would continue to have a pitched roof which would be hipped to match the existing rear roof profile which would appear in context with the host dwelling.

Having regard to the form, scale, siting and proposed materials it is considered that the proposed extension(s) 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.

The proposed first floor rear element has been reduced in depth following the previously refused application (ref. 16/00825/FULL6) from 5.6m to 4.5m, however it would continue to be substantial in rearward projection, width and height and would dominate the host building as well as result in a significant loss of amenity to occupiers of neighbouring properties. Furthermore, the proposal involves a two storey side extension which would reduce the separation between No.162 which is a single storey dwelling and it would be sited only 1m from the boundary with No.162 and would have a significant visual impact. To the east, No. 158 is stepped further back from the boundary and would have a distance of 4.3m to No.160, however there are windows in its flank elevation. The two neighbouring properties are bungalows therefore the significant height of the two storey projection proposed which would follow on from the highest part of the roof of the host dwelling would be visually over-dominant to the neighbouring bungalows and would result in a serious loss of outlook for the windows in the flank wall of Nos. 162 and 158. A roof which is stepped down from the main ridge of the roof would lessen the impact to some extent. While the neighbouring properties have significant rear extensions, these are only single storey and have been stepped down from the main ridge height. On balance, it is not considered that the reduction in depth at first floor would be sufficient to alleviate the visual impact and overshadowing of the development and given its scale, height and proximity to the flank boundaries, the proposal is considered to continue to appear over-dominant and would lead to significant overshadowing of the neighbouring sites and overbearing visual impact.

There are two bedroom windows proposed in both first floor flank elevations of the original dwelling which are not present in the existing flank elevations, these would be the only windows serving bedrooms on either side of the property, it is a concern that the windows would result in overlooking and a loss of privacy to Nos. 162 and 158. As the windows are the primary window for these bedrooms. A condition requiring the windows to be obscure glazed and non openable would not be appropriate in this situation as it would result in an inadequate standard of accommodation and an unsatisfactory outlook and ventilation to the bedroom which would be harmful to the amenities of the current and future occupiers of this residential property.

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 was considered that the development in the manner proposed is not acceptable in that it would result in a significant loss of amenity to local residents.

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: APPLICATION BE REFUSED

The reasons for refusal are:

- 1 The proposal would be over-dominant and would be detrimental to the amenities that the current and future occupiers of Nos. 158 and 162 Poverest Road might reasonably expect to be able continue to enjoy by reason of visual impact in view of its bulk, excessive height, depth of rearward projection and proximity to the flank boundary of the site, and the first floor windows in the flank elevations would result in a loss of privacy and amenities of the flank windows and amenity space of the neighbouring properties, contrary to Policies BE1 and H8 of the Unitary Development Plan and Policies 6 and 37 of the Draft Local Plan.**