

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

**Application No :** 18/01565/FULL6

**Ward:**  
Orpington

**Address :** Keren, St Aubyn's Gardens, Orpington  
BR6 0SW

**OS Grid Ref:** E: 545761 N: 165557

**Applicant :** Mr D Berry & Ms L Wright

**Objections :** NO

**Description of Development:**

Single storey front & rear extensions including new front porch and first floor rear and side extensions.

**Key designations:**

Biggin Hill Safeguarding Area  
London City Airport Safeguarding  
Open Space Deficiency  
Smoke Control SCA 29

**Proposal**

The proposal involves a first floor side extension and part one/two storey rear extension which would have a width of 2.8m beyond the east flank and a length of 4.7m linking up with the proposed rear element. The part one/two rear extension would have a maximum depth of 3.8m and a total width of 9.7m. At first floor, the proposal would be staggered with a depth of between 3.8m to 2.1m. The proposal would have a pitched roof which would be hipped and would have a height of 7.2m and would also extend over the existing flat roof of the two storey side projection.

The proposed single storey side extension to the west flank would have a width of 1.9m, a length of 4.5m and would have a pitched roof which would be hipped with a height of 4m.

A front porch is also proposed which would have a forward projection of 0.9m, a width of 2.8m and would have a pitched roof with a ridge height of 3.3m.

Elevation alterations are proposed which would involve applying render which would be painted white to the front gable feature and inserting one window in the first floor front elevation of the two storey side projection.

**Location and Key Constraints**

The site hosts a detached two storey dwelling situated on the northern turning point of St Aubyn's Gardens. The site is not situated on any designated land.

## **Comments from Local Residents and Groups**

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

## **Comments from Consultees**

No Consultee comments 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 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

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**

No recent or relevant planning history relating to the application site.

## **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.

Policy BE1 of the UDP requires new buildings to complement the scale, form, layout and materials of adjacent buildings and areas, and seeks to protect the amenities of neighbouring properties.

Policy H8 of the UDP requires residential extensions to blend with the style and materials of the host dwelling, and ensure that spaces or gaps between buildings are respected where these contribute to the character of the area.

Policy H9 of the UDP requires that when considering applications for new residential development, including extensions, the Council will normally require 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 or where higher standards of separation already exist within residential areas, proposals will be expected to provide a more generous side space. This will be the case on some corner properties.

The existing dwelling already incorporates a two storey development with a flat roof which is set back from the main front and rear elevations and is sited along the east flank boundary. Therefore, the property already does not provide a 1m side space to the flank boundary.

The proposed first floor side extension would have a width of 2.8m and a length of 4.7m and would also be built in close proximity to the east flank boundary, there would be a gap of 0.1m for much of its length). Additionally, the proposal would involve replacing the flat roof of the existing two storey side projection with a pitched roof, increasing its height from 5.6m to 7.2m (ridge height). The proposal would therefore technically be in breach of Side Space Policy H9 which requires a minimum of 1m side space to the flank boundary. However, the proposal would be situated predominately to the rear of the property and existing two storey side projection with the proposed pitched roof being the main visible element of the two storey development.

The proposed first floor side extension would be positioned to the rear of the existing side projection along the boundary therefore it is considered that it would not impact detrimentally on the spatial characteristics of the area or result in a cramped appearance in the street scene.

The proposed pitched roof would increase the height of the existing two storey side projection however it would incorporate a pitched roof which would be hipped and Policy H8 states that "Where possible, the extension should incorporate a pitched roof and include a sympathetic roof design and materials. In particular, flat-roofed side extensions of two or more storeys to dwellings of traditional roof design will normally be resisted unless the extension is well set back from the building line and is unobtrusive." Therefore, the proposed roof alterations would have a more sympathetic appearance in relation to the host dwelling than the existing two storey side projection and it would continue to be set back by from the main front elevation by 3m and would continue to appear subservient to the main dwelling.

Further to the above, the east flank boundary of the site abuts an access way to the rear garages of the properties adjacent properties on Tower Road and on the other side of the access lies the rear gardens of properties on Tower Road therefore a significant distance would be retained to the surrounding development and it is not therefore likely that there will be any further two storey development adjacent to the proposal in the future.

Whilst the proposal is not compliant with the Council's side space policy, it may be considered that on balance, the proposed is acceptable in that it is unlikely to result in a cramped appearance in the streetscene or have a seriously harmful impact on

surrounding residents, therefore broadly complying with the aims of Policies BE1, H8 and H9 of the Unitary Development Plan.

With regards to the single storey additions, the proposed front porch would not project significantly beyond the front gable (it would project further forwards by 0.4m) and it would incorporate a modest pitched roof with a height of 3.3m. There are examples of front bay windows, pitched roof canopies and a porch in the local area therefore it is considered that the proposed porch would not appear harmfully at odds with the surrounding development. The single storey side extension would be set back from the front elevation by 5.5m and would have a width (1.9m wide) and pitched roof with a ridge height of 4m therefore its size and design is considered to appear in context with the host dwelling.

The existing front gable which currently has a brickwork external facing would be rendered and painted white. In the local area, there are examples of properties which incorporate render in their external facing therefore the proposed materials would be in-keeping with the character of the area.

Having regard to the form, scale, siting and proposed materials, it is considered that the proposed extensions 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.

In terms of residential amenity it is considered that there would be no significant impact on the privacy and amenity of adjoining occupiers in terms of loss of light and outlook, siting and position of the enlarged mass of the extensions in this situation due to the reasonable separation distances to adjacent neighbouring properties, with a separation of over 5m from the two storey extension and between 3.8m and 1.9m to the single storey side extension from the south west flank boundary and a substantial separation from residential properties on Tower Road to the east. .

The adjoining dwelling to the south west of the site, 'Penrhyn' has benefitted from a single storey rear extension and given the location at one end of the Close, the properties are splayed around the turning point so that this neighbouring property is orientated away from the host dwelling at the rear and therefore the proposed extensions would be visible only obliquely from the main habitable room windows and amenity space to the rear of 'Penrhyn'.

Having regard to the scale, siting, separation distance, orientation, existing boundary treatment of the development, it is not considered that a significant loss of amenity with particular regard to light, outlook, prospect and privacy would arise.

## 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 or spatial standards 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 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.**

- 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 UDP and in the interests of visual and residential amenity.**