

## **SECTION '2' – Applications meriting special consideration**

**Application No :** 18/02423/FULL6

**Ward:**  
**Chislehurst**

**Address :** 25 Grove Vale Chislehurst BR7 5DS

**OS Grid Ref:** E: 543159 N: 170897

**Applicant :** Mr Yavuz

**Objections :** YES

### **Description of Development:**

First floor side/rear and single storey rear extensions. Retrospective amendments to previous planning application with reference 17/01456/FULL6 to change the pitch of the roof, increase the ridge height and incorporate rooflights on all sides to facilitate a loft conversion and elevational alterations.

Key designations:

Biggin Hill Safeguarding Area  
London City Airport Safeguarding  
Smoke Control SCA 16

### **Proposal**

The application relates to retrospective alterations to the approved application 17/01456/FULL6 to change the pitch of the main roof and include rooflights in all elevations to facilitate a loft conversion, including a velux cabrio rooflight to the rear.

It also includes several other elevational alterations such as a change in the pitch of the roof to the side, not converting the garage to a habitable room, changing a Juliet balcony at the rear to a normal window, changing a window in the rear extension to patio doors and changing a pitched roof lantern to a flat roof light on the rear extension.

### **Location and Key Constraints**

The application site hosts a two storey detached dwelling on the Eastern side of Grove Vale, Chislehurst.

### **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

- Roof profile is out of character
- Loss of privacy

- Overlooking from Cabrio rooflight
- Precedent will be set if approved
- Roof height is much higher than others and therefore out of character
- Increased bulk is out of character

## **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

BE1 Design of new development

### **Draft Local Plan**

6 Residential Extensions

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:

- 04/00004/FULL6; Single storey side and rear extension; Permitted
- 17/01456/FULL6; First floor side/rear and single storey rear extensions; Refused - Appeal allowed
- 17/02276/HHPA; Single storey rear extension, extending beyond the rear wall of the house as existing by 6m (beyond the original rear wall by 6m), for which the maximum height would be 2.6m (maximum height of proposed and previous extensions 2.6m), and for which the height of the eaves would be 2.6m (maximum eaves height of proposed and previous extensions 2.6m) - (42 Day Notification for Householder Permitted Development Prior Approval); Prior Approval Not Required

### **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.

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

The retrospective changes to the roof significantly increase the bulk of the roof and whilst the applicant draws attention to number 45 Sandy Ridge the Inspector stated in their appeal decision that the changes to the roof were acceptable because other nearby properties were bulkier than the existing situation at number 45. This is not the case in Grove Vale; the increase in the height and change to the pitch of the roof appear completely out of character with the other surrounding properties.

The applicant also provides various other illustrations of properties in the road in relation to differing roof types however none of these dwellings would set a precedent for a roof design such as the one that has been built here. The properties directly either side of number 25 have traditional low pitched roofs and as such this property stands out significantly within the street scene as an incongruous addition.

The other elevation alterations are considered to be acceptable in that they do not significantly alter the character of the host dwelling or street scene.

### **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.

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

Whilst it is noted that neighbours have raised concerns about perceived overlooking whilst the addition of a Cabrio rooflight to the rear may increase some overlooking this is not considered to be so detrimental as to warrant refusal especially given the previous permission including a Juliet balcony.

### **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 unacceptable as it would 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: APPLICATION BE REFUSED**

**The reasons for refusal are:**

- 1 The proposed roof extension, by reason of its increased ridge height and excessive bulk, will appear out of character and detrimental to the character and appearance of both the host dwelling and the street scene, contrary to Policies BE1 and H8 of the Unitary Development Plan and Policies 6 and 37 of the Emerging Local Plan.**