

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

Application No : 18/02199/FULL6

Ward:
Orpington

Address : 21 Blenheim Road Orpington BR6 9BQ

OS Grid Ref: E: 547246 N: 165816

Applicant : Mr Eric Koome

Objections : YES

Description of Development:

Single storey side/rear wrap round extension with partial raised decking with chair lift for disabled access to garden.

Key designations:

Areas of Archeological Significance
Biggin Hill Safeguarding Area
London City Airport Safeguarding
Smoke Control SCA 31

Proposal

The application proposes a single storey side/rear extension with raised decking and wheelchair lift to the rear and a disabled ramp to the front of the dwelling. The extension would have a depth of 11.25m and a width at the rear of 8.7m. It would project 3.5m from the existing rear elevation. It would have an eaves height of 2.9m and a ridge height of 3.9m.

Location and Key Constraints

The application site hosts a two storey semi-detached dwelling on the Northern side of Blenheim Road, Orpington.

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

- Loss of light to kitchen
- Extension would be oppressive, over bearing and would cause tunnelling

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:

- 18/00733/FULL6 - Demolish side garage and construct single storey side and rear extension with elevated decking/patio with ramp to form disabled access to garden - Refused

Considerations

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

- Resubmission
- Design
- Neighbouring amenity
- CIL

Resubmission

The application seeks to overcome a previous refusal which was refused for the following reasons:

1. The proposed side extension by reason of its height and depth would create a significantly bulky and overbearing form of development, harmful to the character and appearance of the host dwelling and street scene and creating an unneighbourly form of development harmful to the amenities of the adjoining occupiers of number 19; contrary to Policies BE1 and H8 of the Unitary Development Plan and Policies 6 and 37 of the Emerging Local Plan.
2. The proposed raised decking to the rear by reason of its height and depth would create overlooking and a loss of privacy harmful to the amenities of the adjoining occupiers at number 19 and 23, contrary to Policies BE1 and H8 of the Unitary Development Plan and Policies 6 and 37 of the Emerging Local Plan

The main cause for concern in regard to the first refusal reason was the bulk of the extension as a result of the parapet wall along the side boundary, this has been removed which would lower the overall height and would mean that the extension would pitch away from the boundary for the full length of the extension, as such it is considered that the removal of the parapet wall would overcome the first refusal reason and would mean that, on balance, the development would not cause any harm so significant as to warrant refusal of the application.

To overcome the second reason for refusal the extent of the rear decking has been reduced significantly and there is a plan for a wheelchair lift rather than ramps, this would help to maintain an adequate level of privacy for the adjoining occupiers and as such would be considered to be acceptable.

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, 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.

The extension replaces an existing garage on the boundary and as such it is considered that a replacement side extension would not cause any significant harm to the character and appearance of the host dwelling or street scene. The use of matching materials would also help to maintain the character and appearance of the host dwelling and 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.

The extension would somewhat replace the existing garage on the boundary and number 19 also benefits from such a garage. Nearest the boundary number 19 has a kitchen window which faces the common boundary. Although the light and outlook from this window would be affected to some degree, it is not a primary window to a habitable room, and the impact is not, therefore, considered to be unduly harmful.

The removal of the previous submitted parapet wall means that the roof of the extension will pitch away from the boundary, and whilst the neighbour at number 19 is set lower in the road it is considered that this would help to mitigate the impact of the extension and on balance this would be acceptable in that it would damage the neighbouring amenity at such a level as to warrant refusal of the application.

The ramp to the front is unlikely to have any impact on neighbouring amenity.

The decking to the rear has been significantly reduced and this would help to maintain an adequate level of privacy to the adjoining occupiers to both the East and West of the application site.

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 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: Section 91, Town and Country Planning Act 1990.

- 2 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.

- 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 Unitary Development Plan and in the interest of the visual and residential amenities of the area.