

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

Application No : 18/02325/FULL6

**Ward:
Bromley Town**

Address : 56 Forde Avenue Bromley BR1 3EX

OS Grid Ref: E: 541097 N: 169036

Applicant : Mr John Brown

Objections : NO

Description of Development:

Single storey rear and two storey side extensions with part garage conversion.

Key designations:

Biggin Hill Safeguarding Area
London City Airport Safeguarding
Open Space Deficiency
Smoke Control SCA 12
Smoke Control SCA 13

Proposal

The application seeks planning permission for part conversion of the existing garage, a two storey side extension and single storey rear extension. The existing garage will be reduced in depth by 2.9m and partly converted to a toilet and utility room. The two storey side extension will measure 5.6m in depth, 2.5m in width and 7.4m in height. The single storey rear extension will have a maximum depth of 3.9m, width of 7.3m with a flat roof and rooflight measuring 3.1m in height.

Location and Key Constraints

The application site comprises a two storey semi-detached dwellinghouse located on the east side of Forde Avenue, Bromley. The property is not listed and does not lie within a conservation area.

Comments from Local Residents and Groups

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

Comments from Consultees

Highways:

The site is located within a high PTAL area and lies inside the Bromley Town Centre Controlled Parking Zone (CPZ) where there is limited parking available. I

have no objection to the alterations. However in order to reduce pressure on the existing parking demand in the area, future residents of the development should not be eligible to apply for parking permits.

Please include the following with any permission:

Before the development hereby permitted is occupied arrangements shall be agreed in writing with the Local Planning Authority and be put in place to ensure that, with the exception of disabled persons, no resident of the development shall obtain a resident's parking permit within any controlled parking zone which may be in force in the vicinity of the site at any time.

Reason: In order to comply with Policy T3 of the Unitary Development Plan and to avoid development without adequate parking or garage provision, which is likely to lead to parking inconvenient to other road users and would be detrimental to amenities and prejudicial to road safety.

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 fails 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

T3 Parking

Draft Local Plan

6 Residential Extensions

8 Side Space

30 Parking

37 General Design of Development

Supplementary Planning Guidance

SPG1 - General Design Principles

SPG2 - Residential Design Guidance

Planning History

18/00117/PLUD - Loft conversion with hipped roof to gable with addition of rear dormer with Juliette balcony and front roof lights. LAWFUL DEVELOPMENT CERTIFICATE (PROPOSED) - Proposed use/development is lawful.

18/00813/FULL6 - Single storey rear and two storey side extensions with part garage conversion - Application Refused.

Considerations

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

- Resubmission
- Design
- Neighbouring amenity

Resubmission

The application is a resubmission of ref. 18/00813/FULL6. Following the refusal the proposal has been amended to include a pitched roof which mirrors that of the existing house. The amended proposal now blends with the style and materials of the main building and is an unobtrusive addition to the property.

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.

Policy BE1 and H8 of the Council's Unitary Development Plan seeks to ensure that new development, including residential extensions, are of a high quality design that respect the scale and form of the application property and are compatible with surrounding development. These policies are consistent with Draft Policies 6 and 37 of the Draft Local Plan. London Plan and UDP policies further reinforce the principles of the NPPF setting out a clear rationale for high quality design. London Plan Policy 7.4 requires developments to have regard to the form, function, and structure of an area.

The proposed side extension will measure 7.4m in height at its maximum with an eaves height which sits in line with that of the host dwelling. The extension will have a pitched roof which sits approximately 1.2m lower than the main ridge line and will be set back 3.8m from the front elevation. It is therefore considered that the proposed would remain subservient to the main property and not overdevelop the site as a whole. Policy H9 states that for proposals 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. The plans indicate that part of the proposed extension would sit above the existing garage which is situated less than 1.0m away from the shared boundary with No.54. As a result the proposed will not meet the requirements of the policy. Nevertheless, taking into consideration the proposed extensions pitched roof, its lowered ridge height, and that it is set back from the main front elevation, it is considered that the proposed would not lead to a cramped appearance or to possible unrelated terracing.

The proposed single storey rear extensions size, scale and bulk would not significantly alter the appearance of the host dwelling. The proposed depth and height of the extension would be subservient to the main dwelling and not overdevelop the site as a whole. Insofar as is possible the proposed materials will match those of the existing dwelling which would be complementary and compatible with the application site and developments in the surrounding area. The extension would not be visible from the street and so will not harm the character of the area or the streetscene in general.

Having regard to the form, scale, siting and proposed materials it is considered that the proposed extension 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 side extension will not project further to the rear of the house than that of the original rearmost wall and will also be sited away from the rear of No.54 which is the closest neighbouring property to this element. The proposed windows in the front and rear elevations will sit level with the existing and it is considered they would not result in overlooking out of character in terms of that expected within a typical residential layout. One roof light is proposed to the side roofslope which, because of its positioning would not result in increased overlooking. One window is proposed in the ground floor flank elevation which will service a toilet and can be conditioned to be obscure glazed as part of any approval. It is considered that, due to the positioning of the extension, there would not be increased overshadowing or a detrimental effect on the daylight and sunlight of the neighbouring properties as a result of the proposal. It is therefore considered that the development would not adversely impact upon neighbouring residential amenity.

There is a separation distance of 1.6m between the proposed rear extension and the boundary with the neighbouring property, No.54. Given the proposed extensions height and depth, the orientation of the properties and the separation distance, it is not considered that the development would have an adverse impact on the neighbouring residential amenity of No.54. The proposed windows in the rear elevation, because of their location, distance from the boundary and size, would not result in an increased chance of overlooking out of character in terms of that expected within a typical residential layout.

The rear extension will project 0.9m along the boundary with No.58 before stepping in by 0.6m and projecting a further 3.0m. No. 58 currently benefits from a rear projection that sits along the boundary for approximately 0.9m. The positioning of the rear extension would have a visual impact on this neighbouring property as a result of the orientation of the site and its proposed height and depth. The stepping away of the extension from the boundary would mitigate some of the impact and it is considered that the potential harm to No.58s residential amenity would not be adverse enough to warrant a refusal of the application.

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.

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 Council's Highways Officer has raised no objection to the development on the basis that there will still be space within the sites curtilage for vehicle parking. A condition restricting future residents from applying for parking permits has been requested as part of any approval but this is considered to be onerous for a development of the nature proposed especially as onsite parking would be retained.

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.

as amended by documents received on 09.07.2018

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.

- 4 Before the development hereby permitted is first occupied the proposed window(s) in the ground floor flank and first floor front elevations shall be obscure glazed to a minimum of Pilkington privacy Level 3 and shall be non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed and the window (s) shall subsequently be permanently retained in accordance as such.

Reason: In the interests of the amenities of nearby residential properties and to accord with Policies BE1 and H8 of the Unitary Development Plan