

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

Application No : 18/01920/FULL6

Ward:
Cray Valley West

Address : 87 Sutherland Avenue Petts Wood
Orpington BR5 1QY

OS Grid Ref: E: 545701 N: 167822

Applicant : Mr Phil Matthews

Objections : YES

Description of Development:

Part one/two storey side/rear extension and two storey side extension including granny annexe at ground floor

Key designations:

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

Proposal

Permission is sought for a part one/two storey side/rear extension and two storey side extension. It will project 3.1m from the southern flank elevation and will be 12m deep, projecting 4.3m beyond the rear elevation, and will wrap around the property at the rear. The extension will project 4.7m from the northern flank elevation and will be 13m deep, projecting an additional 0.5m to the front and to the rear. The proposal includes the formation of a granny annexe at ground floor level.

Location and Key Constraints

The application site is a two storey detached property located on the western side of Sutherland Avenue, at the junction with Poverest Road.

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

- Side extension will be sited against the boundary line without any set back, to a height of approximately 3m, and to run the full length, which will be more overbearing than the existing fence and will be oppressive

- Reduction of light through the cloakroom window on ground floor and living area beyond.
- Also a general loss of light and airflow along the pathway
- Concerned as to whether any of the amenities or services in the house (water system, soil pipes, extractor fans etc.) will vent directly into the neighbouring passageway
- Property deed imposes obligation on owner of neighbouring property to maintain the fence along this boundary however the wall will be built right on the property line without any set back therefore it will not be possible

Comments from Consultees

Highways:

- The site lies at the junction of Poverest Road with Sutherland Avenue, with vehicular access being from the latter. Neither road is subject to waiting restrictions in the vicinity of the site. Both roads can accommodate on-street parking without any significant detriment to the free flow of traffic and conditions of safety in the highway.
- The proposal involves adding a further bedroom to the property.
- The PTAL score for the location is 2 (low) where car ownership is likely to be associated with occupiers of the property. The Council's parking standard for a 2 PTAL rating is for a minimum of 1.5 spaces.
- An integral garage is proposed which, together with the existing drive, means the site could accommodate 2 cars parked off-street.
- There are no objections from the highway point of view.
- Please apply the following conditions to any permission: H03, H22

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
T3 Parking
BE1 Design of new development

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

There is no planning history on this site.

Considerations

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

- Design
- Highways
- Neighbouring amenity

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 H9 of the Unitary Development Plan states that 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, however, where higher standards of separation already exist within residential areas, proposals will be expected to provide a more generous side space, including corner plots.

The proposal will provide a minimum of 2m to the northern flank boundary for the full height and length of the northern flank elevation. However to the south, the proposal will extend up to the flank boundary therefore the proposal does not comply with Policy H9 of the UDP. It is noted that the first floor is set in 2m from the boundary and the roof has been pitched to form a cat slide roof, reducing the bulk on this flank. It is therefore considered that the proposal will not result in a detrimental impact on the spatial standards of the surrounding area.

The proposed ground floor plan includes the provision of a 'granny annexe'. Paragraph 4.47 of Policy H8 states that residential extensions (or 'granny annexes') can provide accommodation which enables a family to care for an elderly or disabled relative. Problems can arise when this type of development constitutes a self-contained unit which could potentially be severed from the main dwelling resulting in substandard accommodation. The floor plans indicate that the 'granny annexe' will form an integral part of the dwelling and no separate front entrance is proposed. It is therefore considered that it would not be possible to sever the annexe from the main dwelling.

The proposed extension will wrap around the sides and rear of the property, significantly increasing the size and bulk of the property. However it was noted on site that this is the smallest property in the immediate vicinity and the resulting footprint would be similar to the surrounding properties which have already benefitted from extensions. The neighbouring property to the south, No.85, has been subject to a recent permission under planning ref.16/04938/FULL6 for a part one/two storey side/rear extension, the majority of which had been completed at the time of the site visit. It is therefore considered that the scale of the proposed development is in keeping with the character and appearance of the surrounding properties and the street scene.

The existing property is finished with red brick. The proposed finish is cream render and dark oak cladding. This is considered to reflect the materials present on neighbouring properties and is therefore in keeping with the surrounding 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.

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 area has a PTAL level of 2 (on a scale of 0 - 6b, where 6b is the most accessible) and car ownership is likely to be associated with occupiers of the property. The current site has a drive way and a carport to the southern side of the property, which will be removed to accommodate the proposal.

The proposal includes an integral garage which, together with the existing drive, means the site could accommodate 2 cars parked off-street. Furthermore, the site lies at the junction of Poverest Road with Sutherland Avenue, with vehicular access being from the latter. Neither road is subject to waiting restrictions in the vicinity of the site. Both roads can accommodate on-street parking without any significant detriment to the free flow of traffic and conditions of safety in the highway. As such, no objection was raised from the Councils Highways Officer.

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.

With regards to the neighbouring property to the south, No.85, the proposed extension will project 3m from the southern flank elevation to extend up to the boundary at ground floor level and will be 11.9m deep. It will project approximately 2m beyond the rear of the side extension at No.85 (16/04938/FULL6). The first floor is set in 2m from the boundary and the roof has been pitched to form a cat slide roof, reducing the bulk on this flank. It is therefore considered that the proposed extension will not impact significantly on the amenities of this neighbouring property with regards to loss of light, outlook or visual amenity.

Concerns have been raised regarding the impact on light to the ground floor window of No.85 due to the proposed height of the parapet wall (3m) and the location on the boundary. It is noted that this neighbouring property has one ground floor flank window however this is indicated to serve a bathroom. Although the light to 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 property is situated on a corner plot, at the junction with Poverest Road. Given the separation to properties to the north and east, the proposal is not considered to impact significantly on the light, outlook or privacy of these neighbouring properties.

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 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: 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.

- 4** The additional accommodation shall be used only by members of the household occupying the dwelling 87 Sutherland Avenue and shall not be severed to form a separate self-contained unit.

Reason: In order to comply with Policy H8 of the Unitary Development Plan, to ensure that the accommodation is not used separately and unassociated with the main dwelling and so as to prevent an unsatisfactory sub-division into two dwellings.

- 5** Before commencement of the use of the land or building hereby permitted parking spaces and/or garages and turning space shall be completed in accordance with the approved details and thereafter shall be kept available for such use and no permitted development whether permitted by the Town and Country Planning (General Permitted Development) Order (England) 2015 (or any Order amending, revoking and re-enacting this Order) or not shall be carried out on the land or garages indicated or in such a position as to preclude vehicular access to the said land or garages.

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.

- 6** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order amending, revoking and re-enacting this Order) no buildings, structures, alterations, walls or fences of any kind shall be erected or made within the curtilage(s) of the dwelling(s) hereby permitted without the prior approval in writing of the Local Planning Authority.

Reason: In the interests of protecting the character of the area and residential amenity of neighbouring properties in accordance with Policy BE1 of the UDP.