

SECTION '2' – Applications meriting special consideration

Application No : 18/01491/FULL6

Ward:
Cray Valley West

Address : 4 Sherborne Road Orpington BR5 1GW

OS Grid Ref: E: 545624 N: 167970

Applicant : Mr Richard Patience

Objections : YES

Description of Development:

Two storey front, part one/two storey front/side and single storey rear extensions. Roof alterations to include front, side and rear dormers, and roof light.

Key designations:

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

Proposal

Permission is sought for a two storey front, part one/two storey front/side, single storey rear extensions and roof alterations including side and rear dormers.

The part one/two storey front/side extension will project 0.7m forward. It will be 3.6m wide and 12m deep. The flank elevation will be stepped to maintain a minimum of 1m from the flank wall to the tapered boundary. The existing garage and study will be removed to accommodate the proposal.

A single storey rear extension is proposed which will be 2.8m deep and 6.555m wide. The roof will be flat and contain two rooflights.

The proposed roof alterations include increasing the ridge height by 0.26m and introducing side and rear dormers. Two front dormers are proposed at first floor level.

Location and Key Constraints

The application site is a two storey detached property located on the southern side of Sherborne Road, close to the junction with Sefton 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

- Severely block light and view from living room and bedroom windows
- The proposed new structure is going to be close to the neighbouring property than the previous applications
- Close proximity to foundations could cause subsidence
- As the proposed side (west) elevations is going to be higher than the existing , it will considerably block daylight
- Sunlight simulations have been submitted which are believed to be incorrect
- Householder is in the process of building a new structure at the bottom of his garden which is 5m deep and almost the width of the garden. Work started January 2018 and is ongoing. How long will these proposed works take to finish?
- As the householder is the director of his Building Company there are concerns that the extended property will be further used as a place of business

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

The relevant planning history relating to the application site is summarised as follows:

- 86/02472/FUL - Two storey rear extension - Permitted 23.10.1986
- 92/01316/FUL - Single storey front and side extension - Permitted 06.08.1992
- 06/01579/FULL6 - 2 side dormer extensions - Permitted 14.06.2006
- 06/04529/FULL6 - Two side dormer extensions (revision to permission ref 06/01579) - Permitted 19.01.2007
- 17/00649/FULL6 - Two storey front extension, part one/two storey front/side and single storey rear extensions. Roof alterations to include front and rear

dormers, Juliet balcony and roof lights - Refused 10.04.2017. The reasons for refusal were as follows:

1. The proposed rear extension, by way of its increase in height and bulk when viewed from the west, would result in a dominant and visually intrusive form of development, harmful the amenities of No.2, by reason of outlook and visual amenity, contrary to Policies BE1 and H8 of the Unitary Development Plan.
- 17/02703/FULL6 - Two storey front extension, part one/two storey front/side and single storey rear extensions. Roof alterations to include front and rear dormers, and roof lights - Refused 07.08.2017. The reasons for refusal were as follows:
 1. The proposed part one/two storey side extension, by way of its increase in height and bulk when viewed from the west, would result in a dominant and visually intrusive form of development, harmful the amenities of No.2, by reason of outlook and visual amenity, contrary to Policies BE1 and H8 of the Unitary Development Plan

Considerations

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

- Resubmission
- Design
- Neighbouring amenity

Resubmission

The site has been subject to two recent refusals under planning ref's 17/17/00649/FULL6 and 17/02703/FULL6 for a 'Two storey front extension, part one/two storey front/side and single storey rear extensions. Roof alterations to include front and rear dormers, and roof lights'. Both applications were refused due to the increase in height and bulk resulting in a harmful impact on the amenities of No.2. (Full reasons for refusal are set out in the Planning History section above).

The current proposal is for a part one/two storey front/side and single storey rear extensions, roof alterations to include side and rear dormers.

The part one/two storey front/side extension will project 0.7m forward. It will be 3.6m wide and 12m deep. The flank elevation will be stepped to maintain a minimum of 1m from the flank wall to the tapered boundary. The width of the proposal has increased by 0.25m. The eaves height has also been reduced to 3.94m when viewed from the front.

The roof of the single storey rear extension has been reduced to a flat roof. It will have a maximum height of 2.8m and will contain two roof lights.

The proposed roof alterations include introducing a side dormer within the eastern roof slope. The proposed rear dormer has been reduced in height and width. Two

front dormers are proposed at first floor level, which have also been reduced in width since the previous application.

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 Bromley UDP states that all development proposals, including extensions to existing buildings, will be expected to be of a high standard of design and layout. Policy H8 of the UDP states that the design and layout of proposals for the alteration or enlargement of residential properties will be required to (i) the scale, form and materials of construction should respect or complement those of the host dwelling and be compatible with development in the surrounding area and (ii) space or gaps between buildings should be respected or maintained where these contribute to the character of the area. This is reiterated in draft Local Plan Policy 6.

Policy H8 states that '(iii) dormer windows should be of a size and design appropriate to the roofspace and sited away from prominent roof pitches, unless dormers are a feature of the area' and further elaborates that 'dormer extensions into prominent roof slopes and extensions above the existing ridgeline, will not normally be permitted'. Two front dormers are proposed which are modest in scale and are located at first floor only. Furthermore, it was noted on site that there are examples of first floor front dormers in this area, including No.8 and the neighbouring property, No.2. It is therefore considered that the proposed front dormers, being located at first floor only, would not result in a detrimental impact on the character of the area or the host property.

The flank elevation of the proposed part one/two storey front/side extension will be stepped, providing 1.7m side space in line with the front elevation and maintaining a minimum of 1m from the flank wall to the western flank boundary which tapers in at the rear. 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. It is therefore considered that the proposed extensions are compliant with Policy H9 of the UDP.

The proposal will be highly visible from the street scene. When viewed from the front, the proposed roof bulk has been reduced and further streamlined since the previous refusals, with the eaves reducing to 3.94m. The size and design of the

proposed extensions are considered to be in keeping with the host dwelling, with materials indicated to match the existing property. As such it is not considered to impact significantly on the character or appearance of the host property or the surrounding area.

The current proposal also includes a side dormer in the eastern roof slope which will be visible from the street, however it is located behind the existing chimney and is of a size and design that is considered to be in keeping with the existing property.

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.

With regards to the neighbouring property to the east, No.6, the single storey rear extension will be located close to the shared boundary with this neighbouring property however given that the extension will have a modest depth of 2.8m and will maintain 1.4m to the boundary, it is not considered to impact significantly on this neighbouring property with regards to loss of light, outlook or privacy. This current proposal also includes a side dormer located in the eastern side roof slope. The plans indicate that the two windows, which will serve a stairwell and a bathroom, are to be obscure glazed. It is therefore considered that the proposed side dormer will not impact on the amenities of this neighbouring property.

With regards to the neighbouring property to the west, No.2, the previous applications (17/02703/FULL6 and 17/00649/FULL6) were refused as the proposal was considered harmful to the amenities of this neighbouring property. No.2 has one first floor flank window and the application property currently has two first floor side dormers facing No.2 which serve bedrooms. No first floor flank windows are proposed. It is therefore considered that the privacy levels will be improved for the occupiers of both properties. Furthermore supporting information has been provided in the form of photographs and a sunlight simulation which indicates that the proposal will not impact on the level of sunlight or daylight to the flank windows of No.2. However it is considered that the increase in eaves height and overall bulk would result in a dominant and visually intrusive form of development, harmful to the amenities of No.2, with regard to loss of outlook and visual amenity. It is therefore considered that the proposed revision is not considered sufficient to overcome the previous reasons for refusal.

The proposed rear dormer is 2.2m wide. It is considered that the proposed rear dormer would result in some additional overlooking due to its elevated position, however this is not considered to be materially worse than the existing situation. It

is therefore considered that the proposed rear dormer will not result in a detrimental impact on the amenities of either neighbouring property.

Having regard to the scale, siting, separation distance and orientation of the development, it is considered that a significant loss of amenity with particular regard to outlook and visual amenity 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 was considered that the development in the manner proposed is not acceptable in that it would result in a significant loss of outlook and visual amenity to local residents.

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 part one/two storey side extension, by way of its increase in height and bulk when viewed from the west, would result in a dominant and visually intrusive form of development, harmful the amenities of No.2, by reason of outlook and visual amenity, contrary to Policies BE1 and H8 of the Unitary Development Plan.**