

SECTION '2' – Applications meriting special consideration

Application No : 18/00674/FULL6

**Ward:
Bickley**

Address : 19 Ferndale Bromley BR1 2RX

OS Grid Ref: E: 541441 N: 169160

Applicant : Mrs Rebecca Roberts

Objections : YES

Description of Development:

Single storey wrap around extension

Key designations:

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

Proposal

The application proposes a single storey side and rear extension that would have a minimum rearward projection of 3m, a maximum projection of 6m and a width across the rear of 12.4m. At the side it would have a total depth of 15.3m, a width at the front of 2.3m, the extension would widen towards the rear as a result of the shape of the boundary.

At the front it would have an eaves height of 2.7m and a ridge height of 3.3m, at the rear it would have a maximum height of 3.9m and a minimum height of 3.1m

Location and Key Constraints

The application site hosts a two storey end of terrace dwelling on the Northern side of Ferndale. Number 19 is the last property in the road and as such it adjoins to an access road to the East of the site which serves the rear gardens of the properties to the East.

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

- The proposed development height will 'loom' over our garden, compromising light and dominating the surrounding environment. Our outlook from our

dining room will be dominated by the proposed development. The rear ground floor extension will also be visible from the front of the property changing the look of the cul-de-sac. It is out of keeping with the local area and completely unprecedented for the surrounding area.

- Our ideal outcome would be for the roof height to stay the same as the plans approved in February 2017 (17/00499/FULL6) and we would like to ask 19 Ferndale to move the beginning of the 6m further away from us as to not impede on us as much as they currently are. They are obtaining a considerable amount of space from the side return, they are end of terrace and have no neighbouring properties on that side that will be impacted by their build, for this reason we deem this a reasonable request.

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:

- 16/02457/HHPA; Single storey rear extension, extending beyond the rear wall of the original house by 6m, for which the maximum height would be 3m, and for which the height of the eaves would be 2.6m. (42 Day Notification for Householder Permitted Development Prior Approval); Refused
- 16/03721/HHPA; Single storey rear extension, extending beyond the rear wall of the original house by 6m, for which the maximum height would be 3m, and for which the height of the eaves would be 2.7m. (42 Day Notification for Householder Permitted Development Prior Approval); Prior Approval not required
- 16/05344/PLUD; Single storey rear extension for which prior approval was granted under Ref: 16/03721/HHPA. CERTIFICATE OF LAWFULNESS FOR A PROPOSED DEVELOPMENT; Proposed use/development is lawful
- o 17/00499/FULL6; Single storey side/rear extension ; Permitted

Considerations

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

- Resubmission
- Design
- Neighbouring amenity
- CIL

Resubmission

The proposal is similar to that which was approved under reference 17/00499 however some of the aesthetics of the extension have changed and in parts the height has increased. The overall principle of the extension however is considered to be acceptable, as previously.

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 extension would complement the host property and would not appear out of character with surrounding development or the area generally.

The extension at the front would have a width of 2.3m and would not appear excessively large from the front. It would also match the existing materials 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, siting and separation distance of the development, it is not considered that a significant loss of amenity with particular regard to light, outlook, prospect and privacy would arise.

Nearest the adjoining neighbour at number 18 the extension is 3m in depth and where it extends to 6m in depth it is set 3.5m away from the boundary. This along with the reduced height nearest this boundary would help to mitigate the harm of the 6m deep extension.

To the East of the site the boundary adjoins an access road which serves the rear gardens of properties to the East, as such it is considered that this extension would have limited impact on these neighbouring properties.

The internal alterations allow for a small en-suite bedroom on the ground floor which could be used as an internal annexe with the living area opposite the entrance to the bedroom however this would be strongly linked to main dwelling and could not be severed as such it is considered that the principle of providing

additional accommodation for a family member within the dwelling would be acceptable.

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.