

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

Application No : 18/02003/FULL6

Ward:
**Mottingham And Chislehurst
North**

Address : 132 Beaconsfield Road Mottingham
London SE9 4DT

OS Grid Ref: E: 542244 N: 172130

Applicant : Mr Patrick Mabibi

Objections : YES

Description of Development:

Two storey side extension with a loft conversion and rear dormer set within the roof slope.

Key designations:

Biggin Hill Safeguarding Area
London City Airport Safeguarding
Smoke Control SCA 51

Proposal

The proposal is for the demolition of the existing car port and erection of two storey side extension with loft conversion and rear dormer window. The southern site boundary narrows from the frontage towards the rear and as such the proposed side extension would measure approximately 2.5m at the front narrowing to 1.8m at the rear, it would be approximately 5.7m deep and approximately 5.4m to the eaves (matching the eaves height of the existing dwelling) and approximately 7.6m high to the ridge height (approximately 0.5m lower than the existing ridge height). As such the front wall would be stepped back from the front wall of the existing dwelling and the roof would be correspondingly stepped down below the height of the existing main ridgeline. It would provide a ground floor hallway including repositioned staircase, a repositioned W/C, utility, a first floor staircase and family bathroom and a loft conversion comprising master bedroom with shower. The extension would stand in the place of an existing carport thereby reducing the on-site parking from 2 spaces to 1 space.

The submission is supported by the following documents:

- Application form,
- Application drawings.

Location and Key Constraints

The site is 132 Beaconsfield Road. It is a two storey end of terrace dwelling located, part of a terrace of four dwellings on the western side of Beaconsfield Road, close to the junction with Dunkery Road, within the urban area of Mottingham. Beaconsfield Road and this particular part of the local area is characterised mainly by terraced and semidetached two storey dwellings (some of which having been extended) although there are other types of dwelling; including flats, in the wider locality. The plot is predominantly level although part of its southern boundary alongside the dwelling steps in and then narrows towards the rear. The existing dwelling has a single storey rear extension and there are currently two tandem parking spaces including a carport alongside the dwelling. The application site does not lie within a Conservation Area or Area of Special Residential Character.

Comments from Local Residents and Groups

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

Comments from Consultees

No comments requested or received.

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.

The National Planning Policy Framework was published on 24th July 2018. According to paragraph 48 of the NPPF decision takers can also give weight to relevant policies in emerging plans according to:

- (a) The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- (b) 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
- (c) The degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF

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

73 Development and Trees

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:

93/07813/DP (building control reference) - Erection of single storey extension was granted on 30/6/1993. There is no planning application reference however it was potentially constructed under permitted development rights and in any event may now be immune from planning enforcement action by virtue of the passage of time.

Considerations

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

- Principle
- Design

- Standard of residential accommodation
- Highways
- Neighbouring amenity
- Trees
- CIL

Assessment

Principle

The site lies within an urban area where there is no objection in principle to new residential extensions subject to an assessment of the impact of the proposal on the appearance/character of the building, the surrounding area, the residential amenity of adjoining and future residential occupiers of the scheme, car parking and traffic implications and the heritage impacts.

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.

The application site is part of a symmetrical terrace of four dwellings and therefore careful design and attention to detail is required.

The proposed two storey extension would be set back from the front elevation of the existing dwelling, its roof would be lower in height than the roof of the existing dwelling and it would have a relatively modest floor area in comparison to the existing main dwelling. It would be subservient to the main dwelling, which would remain the dominant building mass on the site, and it would thus not comprise an overdevelopment of the plot and would generally respect the form and mass of the overall terrace. The proposed extension would be separated from the side boundary at the front of the property by approximately 1.1m; however where the boundary steps in and narrows towards the rear the proposed extension would be positioned almost directly on the boundary. However according to UDP Policy H9 - Side Space new extensions of two storeys or more will normally require a minimum 1 metre space from the side boundary of the site retained for the full height and length of the flank wall of the building, and this applies to the extension as a whole. The Side Space Policy H9 seeks to ensure that sufficient space is provided around new buildings and extensions to prevent a cramped appearance and unrelated terracing from occurring as this could reduce the degree of separation between dwellings which would be harmful to the character of the area.

Notwithstanding this, it is noted that the presence of the term 'normally' in the body of UDP Policy H9 strongly implies, a need for discretion in the application of the Policy having regard to several factors including the characteristics of the site and its surroundings, the precise nature of the proposal and the objectives of the policy as set out in the explanatory text.

In this particular context the front part of the side boundary would be more than 1m from the side flank of the proposed extension and this would respect and reflect the high spatial standard promoted by Policy H9. Furthermore, given the position and orientation of the dwelling on the site, it is not immediately apparent when viewing the property from the front that the boundary steps in as it does to the side, as the greater separation at the front serves the purpose of maintaining a visual space along the side of the dwelling. As mentioned above the proposed extension would also be set back from the front wall of the existing dwelling and its roof would be lower thereby clearly identifying it as an extension and it would not appear that the existing main dwelling is being extended fully up to the side boundary of the site. It is also noted that the neighbouring dwelling to the south No. 134 is set away from the common boundary by a considerable distance of approximately 5.2m. For all of these reasons the proposed extension would not lead to a terracing effect with the neighbouring property at No. 134. As such although there would be a technical breach of the H9 Side Space Policy given these circumstances in this particular instance there would be limited actual harm in planning terms from the proposed extension as a whole. The proposed rear dormer window would be subservient to the existing dwelling, and the proposed extension, and its design and form would not be cramped or overdeveloped and would respect the existing dwelling. The proposed design itself and the external materials would be sensitive to and would complement those of the existing dwelling and the wider terrace. As mentioned above the site does not lie within a Conservation Area or Area of Special Residential Character. The proposal would not appear to directly impact trees or landscaping within the site or in the wider locality. Given the scale of the development it is not considered to have an adverse effect on the wider locality and street scene it would not be necessary in this instance to require additional new planting specifically to enhance this particular development.

For these reasons; having regard to the form, scale, siting and proposed materials it is considered that the proposed extension and outbuilding 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.

As mentioned above, the proposal would fall within 1m of the southern boundary contrary to Policy H9 which seeks, amongst other things, to safeguard the amenity of adjoining residents. It is noted that there are windows in the north elevation of

the neighbouring dwelling No. 134 facing towards the proposed extension. However the proposed extension would be subservient in size and scale to the existing dwelling, it would not appear unduly prominent or overbearing, and it would be separated from No. 134 by at least 5m and on this basis it would not have a significantly more harmful impact on the amenities of the neighbouring properties by reason of overshadowing or overbearing effect.

The main outlook of the extension would continue to be to the front and rear of the building where there would be limited additional harm by reason of overlooking.

Furthermore the front windows would serve circulation spaces rather than habitable rooms and the rear windows would serve bathrooms which could be obscure glazed and with restricted opening, if necessary, in the interest of preserving the privacy amenities of the neighbouring occupiers and without prejudicing the living environment for the future occupiers. There would be no side flank windows and it would be prudent to restrict this in the future, particularly in the upper floors, in the interest of preserving the privacy amenities of the neighbouring occupiers, and this could be managed by planning condition in the event that planning permission is granted again without prejudicing the living environment of the future occupiers.

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 proposal would not relate to the formation of a new highway access. However it would involve the removal of the existing side carport and therefore one of the existing tandem parking spaces. It was observed that cars generally park on forecourts; where space allows, or straddling the pavement and it appeared that parking stress in this location may be high. Notwithstanding this, the proposed layout indicates that the plot would continue to accommodate at latest two parking spaces on the forecourt and this would comply with the Council's car parking standard.

CIL

The Mayor of London's CIL is a material consideration. CIL is not payable on this application and the applicant has completed the relevant form.

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 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.

- 3 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.

- 4 No windows or doors shall at any time be inserted in the upper floor south facing elevation and roof slope of the two storey extension and dormer window hereby permitted, without the prior approval in writing of the Local Planning Authority.**

Reason: In order to comply with Policies H8 and BE1 of the Unitary Development Plan and in the interest of the amenities of the adjacent properties.

- 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 1995 (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 Policies T3 and T18 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.

You are further informed that :

- 1 The applicant is reminded of their requirements and responsibilities according to The Party Wall etc. Act 1996. Further details can be found at the following address:
https://www.planningportal.co.uk/info/200187/your_responsibilities/40/other_permissions_you_may_require/16