

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

Application No : 18/02338/FULL6

Ward:
**Bromley Common And
Keston**

Address : 2 Cowper Road Bromley BR2 9RX

OS Grid Ref: E: 541705 N: 168148

Applicant : Mr Goodger

Objections : YES

Description of Development:

Part one/two storey side/rear extension and front porch

Key designations:

Biggin Hill Safeguarding Area
London City Airport Safeguarding
Smoke Control SCA 19

Proposal

The application seeks permission for a part one/two storey side/rear extension and front porch.

The proposed two storey elements would project 2.15m and 7.3m deep, with a further section to the rear projecting 2.4m deep and 1.6m wide. The single storey element would project off the flank of the two storey sections and would be set at a perpendicular angle with the site boundary, resulting in the extension decreasing in width to its rear to maintain a 1m side space with the flank boundary of the site. The front porch would be sited in front of the two storey section, projecting 0.8m forwards of the existing dwelling for a width of 2.4m.

Location and Key Constraints

The application site hosts a two storey end of terrace dwelling located within a residential area close to the junction of Cowper Road and Southlands 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;

- We see no major differences to the previous two applications which both would have domineered over the back gardens of No.98 - 104.
- Restrict sunlight and daylight for 98-104 and be overbearing.
- Concerns over proximity of parking space next to garden area where young children play and impact of pollution.
- Windows for the proposed extension will reduce privacy of neighbours,

Comments from Consultees

Highways: The development will result in loss of one parking space by conversion of the garage to a habitable accommodation. However, there are spaces available within the site's curtilage which would be utilised for parking. Therefore on balance as it is a small development I raise no objection to this proposal.

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 Hearings from 4th December 2017 and the Inspectors 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

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

- 15/04169/FULL6 - Two storey side extension and single storey rear extension - Refused 22.12.2015 and dismissed on appeal.

The application was refused on the grounds that

“The proposal by reason of its proximity to the properties in Southlands Road given the limited depth of their rear gardens and overall bulk of the proposal would result in a dominant and overbearing form of development that would be harmful to the residential amenities of Nos 98-104 Southlands Road contrary to Policies H8 and BE1 of the Unitary Development Plan.”

- 16/05761/FULL6 - Two storey side extension and single storey rear extension - Refused 01.02.2017

The application was refused on the following grounds;

“The development as proposed would be harmful to the living conditions of existing and future residents of adjacent properties in Southlands road, contrary to the requirements of Policy BE1 (v) of the Unitary Development Plan and Draft Policy 6 of the Local Plan.”

- 18/02203/PLUD - Loft conversion with rear dormer and front rooflights - Permitted 04.07.2018

Considerations

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

- Design
- Highways
- Neighbouring amenity
- CIL

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 previous application (ref: 16/05761/FULL6) was refused on the grounds of its impact on neighbouring properties, rather than its bulk and design. The proposed two storey extension has been reduced in its maximum width, and the roof has been altered from a gabled design to a part hipped, part gabled design. The extension would be modest in its overall width and would be set back 0.3m back from the front elevation and 0.1m lower than the ridge height of the dwelling to provide a slightly more subservient appearance. The proposed materials would match the existing dwelling and given the application has not increased the bulk of the two storey element it is therefore considered it would not harm the appearance of the host dwelling or streetscene in general.

The current application includes the removal of the existing garage, and the addition of a single storey side extension, and front porch. The proposed extension would project an additional 5m in width from the two storey extension and project 8.4m along the boundary, maintaining a 1m side space for its entire depth. The removal of the garage would partially mitigate the additional bulk of the extension, and given the angle of the extension perpendicular to the flank boundary it would result in the extension being set back from the front elevation of the property. Overall, it is not considered the proposed single storey extension would harm the appearance of the host dwelling or the character of the area in general.

The proposed front porch would be modest in its overall scale, projecting 0.8m beyond the front of the host dwelling and 2.4m in width, and is not considered to result in a detrimental impact upon the character of the area or visual amenities of the streetscene.

The proposed development would retain a 1m side space to its flank boundary and is therefore considered to comply with the minimum requirements of Policy H9. Furthermore, whilst the development would result in a significant increase in the footprint of the host dwelling, the retained garden would be comparable to others within the area and therefore the proposal is not considered to result in an overdevelopment of the site.

Having regard to the form, scale, siting and proposed materials it is considered that the proposed extension(s) 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 transport issues should be considered from the earliest stage of both plan making and when formulating development proposals and 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 development would result in the loss of one parking space through the removal of the existing garage however there are spaces available within the site's curtilage which would be utilised for parking. Therefore on balance highways officers raise no objection to the proposal.

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.

Within the dismissed appeal decision for 15/04169/FULL6, the Inspector considered that the two storey rear extension (which had a minimum of 1.5m to the flank boundary would harm the amenities of the neighbour, stating that 'having regard to the limited rear gardens of 98-104 Southlands Road the new structure, with its gable end design, would result in a loss of outlook to the rear-facing

habitable room windows of these adjacent houses and have an unacceptable overbearing impact upon their very small rear gardens'.

The subsequent application (ref: 16/05761) sought to overcome these concerns by reducing the width of part of the two storey side extension by 1.5m resulting in a separation of 3m. The height of part of the roof would also be set down by 0.9m for 1.5m width below the existing ridge height. The Council considered this did not fully overcome the previous refusal grounds and the application was refused.

The current application has reduced the scale of the two storey extension, reducing its maximum width from the previous application from 3.7m to 2.15m. As such, the extension would retain a minimum separation to the flank boundary of 2.8m to its rear, increasing to approx. 6m to its front. Furthermore, the gable end design has been altered to provide a partial hipped design which would result in the roof pitching away from the boundary, and would be set lower than the existing property by 0.1m. On balance, it is considered that these alterations from the previous application would reduce the impact of the proposed two storey extension to a degree that would be considered acceptable.

The proposed extension would have a more modest width, not projecting beyond the front or rear of the host dwelling, and would be set lower than the main ridge with the partial hipped element pitching away from the boundary to reduce the bulk of the roof. The extension would retain a minimum of 2.8m to 6m from the boundary at first floor level, with additional separation within the gardens of the neighbouring properties on Southlands Road. As such, it is not considered the two storey extension would be overbearing or have such significant harm to the living conditions of existing and future residents of these adjacent properties as to warrant a refusal on these grounds. Furthermore, the extension would not be visible from the neighbour at No.4, and the flank window is indicated to be obscure glazed, which subject to a condition would ensure the extension would not harm the privacy of nearby residents.

The current application also includes the addition of a front porch and single storey side/rear extension. The front porch would be modest in its scale and given its siting would not impact upon the amenities of adjoining properties. The proposed side/rear extension would not be visible from No.4 and would not impact detrimentally upon this neighbour. The single storey extension would have a maximum width of 5m, though would reduce in its width to maintain a 1m side space to the boundary with properties facing onto Southlands Road. The flank boundary benefits from a high fence directly adjacent to the host dwelling, with a lower fence with established vegetation further to the rear of the site. The extension would pitch down to an eaves height of 2.7m, which is not considered excessive, and the existing boundary treatments along with the 1m separation from the flank boundary would mitigate the impact of the extension. Whilst it is noted the previous Inspectors comments regarding the impact of previous two storey proposals due to the limited rear gardens of properties on Southlands Road, given the above and that the extension would not project beyond the two storey elements of the extension it is considered on balance that the proposed single storey extensions would not result in such significant additional harm to the amenities of the neighbouring properties as to warrant a refusal of the application.

Having regard to the scale, siting, separation distance and existing boundary treatments 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 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.

- 4 Before the development hereby permitted is first occupied, the proposed window(s) in the first floor flank elevation shall be obscure glazed in accordance with details to be submitted to and approved in writing by the Local Planning Authority and shall subsequently be permanently retained as such.**

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

- 5 No windows or doors shall at any time be inserted in the first floor flank elevation(s) of the extension hereby permitted, without the prior approval in writing of the Local Planning Authority.**

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