

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

Application No : 18/02444/FULL6

Ward:
Orpington

Address : 144 Lancing Road Orpington BR6 0QZ

OS Grid Ref: E: 546813 N: 165965

Applicant : Mr & Mrs Georgiades

Objections : NO

Description of Development:

First floor side and single storey side/rear extensions

Key designations:

Biggin Hill Safeguarding Area
London City Airport Safeguarding
Open Space Deficiency
Smoke Control SCA 29

Proposal

Planning permission is sought for demolition of existing single storey rear extension and garage and erection of part single storey/part two storey side and rear extension. The single storey side garage extension would measure approximately 3.4m in maximum width; abutting the boundary with No. 142 Lancing Road, and 5.6m in depth, the single storey rear element would measure approximately 8.5m in width and 4.7m in total depth (1.7m greater in depth than the existing 3m deep rear extension), all of the single storey elements would measure approximately 3m to the eaves and 3.9m to the height of the pitched/crown pitched roof. The two storey side element would measure approximately 2.3m wide, 7m deep and its eaves would measure approximately 6m (matching the existing eaves) and the 8.3m high ridgeline would be set down from the existing ridgeline 9.2m high ridgeline.

The proposed garage extension would replace the existing detached garage (with sufficient internal dimensions) and although some of the side parking area would be built upon there would remain some further space on the forecourt for vehicle parking.

Location and Key Constraints

The site is No. 144 Lancing Road, Orpington, a semidetached two storey 1930s dwelling located on the eastern side of the highway close to the junction with Bedford Road. The land is predominantly level throughout with boundaries marked mainly by approximately 1.8m high close boarded fencing. There is a single storey rear extension measuring approximately 3m deep and spanning the width of the dwelling, and a detached prefabricated garage behind/beside the rear extension. The area is residential in nature characterised by a mixture of inter-war semidetached two storey dwellings and bungalows, many of which have been extended, and they generally have relatively regular sized and shaped plots.

Planning History

No relevant history.

Considerations

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

- o Design including landscaping

- o Highways
- o Standard of residential accommodation and neighbouring amenity
- o CIL

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

73 Development and Trees

Supplementary Planning Guidance

SPG1 - General Design Principles

SPG2 - Residential Design Guidance

Comments from Local Residents and Groups

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

Comments from Consultees

Highways: The size of the new garage is sub-standard as garages should normally have minimum internal dimensions of 2.6 metres in width by 6 metres in length. Notwithstanding this however the Applicant has now shown 2 suitable parking spaces to be provided within the plot frontage and this is acceptable.

Considerations

Principle

The site lies within an urban area and built up residential 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.

As mentioned the site forms part of a relatively consistent estate of mixed semidetached bungalows and two storey dwellings, many of which have been extended and altered. The proposed rear extension would essentially replace the existing rear extension albeit to a larger size however it would remain subservient in size and scale to the existing dwelling and would not appear overdeveloped or cramped within the plot.

The proposed side extension would include part single storey and part two storey elements linked together. Part of the single storey element (garage) would lie within 1m of the site boundary. The first floor element (bedroom and bathroom) would be separated

from the boundary by 1m. However according to UDP Policy H9 - Side Space states that new extensions of two storeys or more will normally be required to provide a minimum of 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, 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.

The proposed single storey garage element (the part within 1m of the boundary) would be modest in size and in this context where there are not significantly high spatial standards and where some of the other dwellings have been similarly extended it would not lead to a cramped appearance.

The proposed first floor element would be set in from the boundary by approximately 1m, set back from the front wall of the dwelling by 1.2m and given that the roof would be hipped and set down from the ridge of the main dwelling roof by approximately 1m this would also respect the spacing around the existing dwelling. For these reasons it would not cause it to appear cramped or to have a terracing effect with the neighbouring property at No. 142 Lancing Road. 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 each element and the proposed extension as a whole.

The proposed external materials are stated to match those used in the existing dwellinghouse and this could be managed by planning condition in any event.

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.

Standard of residential accommodation and 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 proposed extensions would be sufficiently well removed from the site boundaries and the neighbouring dwellings, coupled with the relatively modest forward and rearward projections, including the additional rear projection beyond the neighbouring extensions, that they 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. Nonetheless, it would be prudent to restrict the insertion of any side flank windows, particularly in the upper floor, 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.

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.

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** A side space of 1m shall be provided, in accordance with the approved plans, between the upper floor south flank wall of the extension(s) hereby permitted and the west flank boundary of the property.

REASON: In order to comply with Policy H9 of the Unitary Development Plan and in the interest of the visual amenities of the area.

- 5** No windows or doors shall at any time be inserted in the upper floor south facing elevation(s) or roof slope(s) of the extension hereby permitted unless otherwise agreed in writing by 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.

- 6** 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.

You are further informed that :

- 1** Before work commences on the extension hereby permitted you should satisfy yourself that the minimum side space to the boundary shown on the submitted drawing can be achieved. Failure to comply with the Council's requirements set out in the conditions above may result in enforcement action being authorised.
- 2** 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