

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

Application No : 18/02581/FULL6

Ward:
Orpington

Address : 33 Goddington Lane Orpington BR6 9DR

OS Grid Ref: E: 546245 N: 165404

Applicant : Mrs L Alvarez

Objections : NO

Description of Development:

Single and double storey side and rear extension

Key designations:

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

Proposal

Permission is sought for a part one/two storey side/rear extension. It will project 1.95m from the flank elevation and will be 12.5m deep, projecting 4m beyond the existing rear elevation. It will wrap around the property at the rear and will be 8.45m wide. At ground floor level, the extension will project an additional 1m from the flank elevation, set back 0.55m from the front elevation.

Location and Key Constraints

The application site is a two storey detached property located on the northern side of Goddington Lane.

Comments from Local Residents and Groups

Nearby owners/occupiers were notified of the application and representations were received, which can be summarised as follows:

- No objection to current plans, however if any changes are made neighbours should be re-notified

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 makers 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

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

There is no planning history on this site.

Relevant planning history at No.35:

- 15/02271/FULL6 - First floor side and rear extension - Allowed on appeal 23.10.2015. The Inspector stated that 'the proposed first floor extension would be sufficiently set back at first floor level to retain a meaningful visual gap between No's 35 and 37'.
- 15/05186/FULL6 - First floor side and rear extension (Amendment to permission allowed on appeal under ref. 15/02271 to include roof alterations incorporating an increase in roof height, rear dormer extension, roof lights and elevational alterations) - Refused 22.01.2016 (Appeal Dismissed 31.05.2016)

- 16/03450/FULL6 - Roof alterations to provide accommodation with rooflights and elevational alterations to the first floor side extension as an amendment to 15/02271/FULL6 as allowed under appeal - Permitted 06.09.2016

Considerations

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

- Design
- Neighbouring amenity

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 proposed part one/two storey side/rear extension will project 1.95m from the flank elevation and will be 12.5m deep, projecting 4m beyond the existing rear elevation. It will wrap around the property at the rear and will be 8.45m wide. At ground floor level, the extension will project an additional 1m from the flank elevation, set back 0.55m from the front elevation.

Given the location of the property, the extension will be highly visible within the street scene. The roof of the side extension is set down 1.3m from the main ridge which is considered subservient to the existing dwelling and helps to reduce the bulk and visual impact on the street scene.

Policy H9 requires a minimum of 1m space from the side boundary of the site be retained for the full height and length of the flank wall of the building to prevent extensions which would be harmful to the spatial standards of its residential areas and an unrelated terracing effect. This is expected for the full height and length of the flank wall including any existing ground floor aspect. In order to prevent a cramped appearance which can lead to unrelated terracing and to safeguard the amenities of the neighbouring property. The first floor element is set in 1.2m from the flank boundary however the ground floor will extend an additional 1m, providing only 0.2m side space. Whilst the proposal will not provide 1m side space for the full height and length of the development, in this instance, given the slight set back of the single storey element from the front wall, it is considered that the proposed extension will not result in a cramped form of development on the site, and would not have a detrimental impact on the character and spatial standards of the surrounding area.

It is also noted that the neighbouring property to the east, No.35, has been subject to a recent application which was allowed on appeal, for a first floor side and rear extension. This neighbouring extension was constructed over an existing ground floor, with the first floor set in 1m from the flank boundary and 1m from the front elevation. The Inspector stated that 'the proposed first floor extension would be sufficiently set back at first floor level to retain a meaningful visual gap between Nos 35 and 37'. It is therefore considered that the proposal is in keeping with surrounding developments

Having regard to the form, scale and siting it is considered that the proposed side extension would not result in a significant impact on the character or spatial standards of the area.

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.35, it is noted that this property has been subject to a single storey side and rear extension (planning ref 06/04043/FULL6) and a first floor side and rear extension (appeal ref. APP/G5180/D/15/3132614). It was noted on site that the works have been completed. As such, the neighbour currently projects 4.2m to the rear at ground floor and 2.8m to the rear at first floor. The proposed extension will project 4m beyond the existing rear elevation, projecting approximately 1.2m beyond the first floor rear elevation of this neighbouring extension. It is therefore considered the proposed extension will not impact on the amenities of this neighbouring property with regards to loss of light, outlook or visual amenity.

With regards to the neighbouring property to the west, No.31, it was noted on site that this neighbouring property has not been subject to a rear extension. However the extension is set in 1.2m from the flank boundary at first floor level and the roof of the side extension is set down from the main ridge. Furthermore the 45 degree line was established and no part of the first floor extension was within 45 degrees of the middle of the first floor rear window of No.31, therefore this element is not considered to impact significantly on the amenities of this neighbouring property with regards to loss of light, outlook or visual amenity. One first floor window is proposed within the western flank elevation which is indicated to serve a bathroom. It is therefore considered appropriate to include a condition to ensure this window is obscure glazed and fixed shut below 1.7m in order to protect privacy levels. It is also noted that comments were received from the current occupiers of No.31 which state that no objection is raised to the current proposal.

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.

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 is considered that the development in the manner proposed is acceptable as it would not result in a significant impact on the character or spatial standards 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 first floor window in the western flank elevation shall be obscure glazed to a minimum of Pilkington privacy Level 3 and shall be non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed and the window shall subsequently be permanently retained in accordance as such.

Reason: In the interests of the amenities of nearby residential properties and to accord with Policies BE1 and H8 of the Unitary Development Plan

- 5 No windows or doors additional to those shown on the permitted drawing(s) shall at any time be inserted in the flank elevations 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