

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

Application No : 18/02925/FULL6

Ward:
Hayes And Coney Hall

Address : 31 Cheriton Avenue Bromley BR2 9DL

OS Grid Ref: E: 539936 N: 167628

Applicant : Ms Emma Butler

Objections : NO

Description of Development:

Removal of existing single storey garage, rear extension and porch structures. Construction of 1 and 2 storey extension containing garage, porch, WC and kitchen/dining room at ground level, with bedroom and en suite on first floor above garage. New windows and doors to be fitted throughout. Removal of timber cladding to front of house, replaced with rendered finish.

Key designations:

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

Proposal

The application seeks permission for the removal of existing single storey front, side and rear structures and construction of part one/two storey front, side and rear extension, and elevational alterations to include replacement of timber cladding to front with a rendered finish.

The proposed extension would project 2.1m forwards at ground floor level for a width of approx. 7.6m and would wrap around the side of the dwelling to project a maximum depth of 11m. The rearmost 5.6m would increase in width by 1m to abut the boundary, and would then wrap around the rear of the dwelling for an additional 4.6m in width, projecting 1.9m beyond the rear of the existing dwelling. At first floor level, the extension would project 3.1m in width for a depth of 9.2m. It would not project beyond the existing first floor projection to the rear, though would project approx. 2.1m forwards of the existing dwelling at first floor level.

The proposed extension would have a brickwork finish to match the existing dwelling, and the application would also include elevational alterations consisting of the replacement of the timber cladding to the front with a rendered finish.

Location and Key Constraints

The application site hosts a two storey detached dwelling sited on the southern side of Cheriton Avenue.

Comments from Local Residents and Groups

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

According to paragraph 216 of the NPPF decision takers can also give weight to relevant policies in emerging plans according to:

- o The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- o 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
- o 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
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

The application site has the following planning history;

- o 18/01538/FULL6 - Removal of existing single storey front, side and rear structures and construction of part one/two storey front, side and rear extension, and elevational alterations to include replacement of timber cladding to front with a rendered finish. - Refused 29.05.18

Considerations

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

- o Resubmission
- o Design
- o Side Space
- o Neighbouring amenity

Resubmission

The current application is a resubmission following the refusal of application reference 18/01538/FULL6 on the following grounds;

1. The proposal does not comply with the Council's requirement for a minimum 1 metre side space to be maintained to the flank boundary in respect of two-storey development in the absence of which the extension would constitute a cramped form of development, out of character with the street scene, conducive to a retrograde lowering of the spatial standards to which the area is at present developed and contrary to Policies BE1 and H9 of the Unitary Development Plan, and Policies 8 and 37 of the emerging Local Plan.

The application seeks to overcome the previous refusal grounds by setting the foremost 5.4m of the extension away from the flank boundary by 1.087m.

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 area is characterised by post-war dwellings with open frontages, and the houses in the immediate area are largely of the same type and style, gable ended with garages pulled forward of the main front building line.

At ground floor level, the proposed extensions would not project forwards of the existing garage and WC to the front, and would effectively result in the infill of the gap between these two existing elements of the property. The two storey front element of the extension would introduce a first floor addition which extends forwards of the host dwelling. No. 31 is set back compared to its adjacent properties and the first floor forward projection would not extend significantly beyond the front of the neighbouring properties. Given this and its modest width it is not considered that the forward extension at first floor level would harm the established building line. Furthermore, the overall scale and bulk of the extensions is

not considered to result in an overdevelopment of the site or harm to the appearance of the host dwelling itself.

Side Space

Policy H9 requires 1m to be provided for the full height and depth of the proposed development in order to prevent unrelated terracing and protect the spatial standards of the area. Concerns were raised within the previous application regarding the impact of the extension on the spatial standards of the area given that the single storey side element abutted the flank boundary.

The current application has removed part of the single storey side element so that the foremost 5.4m of the proposed extension is set away from the boundary by 1.087m. The proposed extension would therefore retain a side space of 1.087m at first floor level for its entire depth, with the rearmost 5.6m of the single storey element abutting the boundary.

The proposed extension would appear similar in its design to the existing extension at the neighbouring dwelling No.33, previously the subject of application 13/00845/FULL6 which was ultimately dismissed on appeal. However it is noted that the Planning Inspectorate (under ref: APP/G5180/D/13/2200694) considered the following

"...Policy H9 states that for proposals two or more storeys in height a minimum separation width of 1m from the site boundary, for the whole extension should be provided. In this instance the existing single storey garage is currently built up to the boundary with No.31 although the proposal would pull the new two storey element back 1m from the boundary. The existing single storey kitchen/breakfast room addition, abutting the boundary, would remain, but as this lies behind the proposed extension I find no conflict with the aims of Policy H9".

No.33 was subsequently granted permission under ref: 13/03335/FULL6 for a part one/two storey front, side and rear extension which abutted the boundary at ground floor level to its rear, and maintained a 1m side space at first floor for its full length.

The proposed extension to the host dwelling at No.31 would appear similar in design to this approved application at No.33, with the single storey element abutting the boundary set behind the proposed two storey extension. The two storey element would meet the requirements of H9, and in view of the Inspectors comments and the significant set-back of the single storey element from the front elevation it cannot be considered that the proposed extension would conflict with the aims of Policy H9.

It is therefore considered the current application has overcome the previous refusal grounds and would not result in significant harm to the visual amenities or spatial standards of the streetscene.

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.

The proposed extension would project for the same depth along the boundary with No.29, and at the same siting, as the existing single storey side element. The pitched roof would be higher than the existing flat roof, though it would pitch down to a similar eaves height on the boundary. The first floor element would not project significantly beyond the rear of this neighbour and would not intrude upon the 45 degree sight line from the rear windows of

No.29. It is therefore considered that the proposed development would not result in a significant loss of light, outlook or privacy to this neighbour.

In terms of the impact upon No.33, the extension would be set a minimum of 4.9m from the shared boundary at ground floor level, and approx. 9m at first floor level. Given the siting of the extensions and the separation distance to this neighbour it is not considered the proposed extensions would have a detrimental impact upon the amenities of this neighbour.

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.

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 materials to be used for the external surfaces of the building shall be as set out in the planning application forms and / or drawings unless otherwise 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 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 UDP and in the interests of visual and residential amenity.

- 4 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.