

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

Application No : 18/02984/FULL6

Ward:
Cray Valley East

Address : 61 Chelsfield Road Orpington BR5 4DS

OS Grid Ref: E: 547478 N: 167063

Applicant : Mr B Nixon

Description of Development:

Two storey side addition and vehicular crossover

Key designations:

Areas of Archeological Significance
Biggin Hill Safeguarding Area
London City Airport Safeguarding
Smoke Control SCA 26
Smoke Control SCA 31

Proposal

Planning permission is sought for the construction of a two storey side extension, and front porch. The proposal can be divided into 2 elements:

The two storey side extension would measure 2.95m wide at the front reducing to 2.5m, 7.1m in length and set back from the front elevation by 0.6m. The extension is to have a hipped pitched roof which is shown to be the same height as the main ridge. The extension would provide an additional bedroom at first floor and additional reception room on the ground floor.

The crossover would provide parking for one vehicle at the front.

The new extensions will be finished in facing brickwork to match the host building.

Location

The application site is an end of terraced two storey dwelling located on the northern side of Chelsfield Road.

The site does not lie within a conservation area and is not a Listed Building. The surrounding area is mainly residential in nature.

Comments from Local Residents and Groups

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

Comments from Consultees

Highways:

The proposal includes a new crossover and hardstanding. Chelsfield Road is classified, a local distributor. The size of the frontage is such that vehicles will not be able to turn around on site.

However, the neighbouring properties are in a similar position and have crossovers. Consequently, it would seem to be difficult to sustain a ground of refusal.

Please include the conditions regarding parking layout, boundary enclosures, drainage and gradient with any permission.

Planning Considerations

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:

The London Plan (2016):

Policy 7.4 Local Character

Policy 7.6 Architecture

Unitary Development Plan (2006):

BE1 Design of New Development

H8 Residential Extensions

H9 Side Space

T11 New Accesses

Draft Local Plan (2016):

Policy 6 Residential Extensions

Policy 8 Side Space

Policy 34 Highway Infrastructure Provision

Policy 37 General design of development

Other Guidance:

Supplementary Planning Guidance 1 - General Design Principles

Supplementary Planning Guidance 2 - Residential Design Guidance

Planning History

There is no planning history for this site.

Conclusions

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

- Design and bulk
- Side space
- Neighbouring amenity
- Highways
- CIL

Design and Bulk:

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.

London Plan Policy 7.4 requires developments to have regard to the form, function, and structure of an area. Policy BE1 of the UDP and Policy 37 of the Draft Local Plan states that all development proposals, including extensions to existing buildings, will be expected to be of a high standard of design and layout. Policy H8 of the UDP states that the design and layout of proposals for the alteration or enlargement of residential properties will be required to (i) the scale, form and materials of construction should respect or complement those of the host dwelling and be compatible with development in the surrounding area and (ii) space or gaps between buildings should be respected or maintained where these contribute to the character of the area.

The Council will normally expect the design of residential extensions to blend with the style and materials of the main building. Where possible, the extension should incorporate a pitched roof and include a sympathetic roof design and materials.

The extensions are sympathetically designed to complement the host building, the first floor is set back and the ridge height lower than the host building as such it is considered that the extension would not appear overly bulky or dominant within the street scene, and would not detract from the character and appearance of area generally.

The front porch would have a flat roof located to the eastern side of the plot. It is considered that its modest scale and design are considered to compliment the host building and the host terrace.

The proposal would be considered to complement the character and appearance of the host dwelling and adjoining terrace and for these reasons, it is considered that the proposed development is acceptable and complies with policy on design.

Side Space:

Policy H9 of the UDP and Policy 8 of the Draft Local Plan states that when considering applications for new residential development, including extensions, the Council will normally require the following:

(i) for a proposal of two or more storeys in height, a minimum 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; or

(ii) where higher standards of separation already exist within residential areas, proposals will be expected to provide a more generous side space. This will be the case on some corner properties.

The Council considers that the retention of space around residential buildings is essential to ensure adequate separation and to safeguard the privacy and amenity of adjoining residents. It is important to prevent a cramped appearance and unrelated terracing from occurring. It is also necessary to protect the high spatial standards and level of visual amenity which characterise many of the Borough's residential areas. Proposals for the replacement of existing buildings will be considered on their merits.

The proposed two storey side extension would be located 0.75m – 0.1m adjacent to the eastern boundary with open fields. Whilst the proposal would not provide a "minimum 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" the proposal would not result in a terracing effect between the extension and any neighbouring property, the proposed extension would also not cause a cramped appearance within the wider streetscene given that the extension is adjacent to the open fields. It is considered the separation distance retained allows for high spatial standards and a high level of visual quality to be maintained. Therefore does not conflict with the reason for the side space policy.

Neighbouring Amenity:

Policy BE1 (v) states that the development should respect the amenity of occupiers of neighbouring building and those of future occupants and ensure their environments are not harmed by noise and disturbance or by inadequate daylight, sunlight or privacy or by overshadowing. This is supported within Policy 7.6 of the London Plan.

The two storey side extension is located adjacent to the eastern boundary with the open fields; as such it is considered that it would not result in any un-neighbourly sense of enclosure and loss of daylight / sunlight, to the detriment of the neighbouring occupiers.

One window is proposed to the rear at first floor level and this is shown to serve a bathroom as such to ensure no loss of privacy would result from these windows a condition has been attached requiring the glazing to be obscured and high level opening only.

The proposed porch is located adjacent to the eastern boundary and therefore given its location would not result in any un-neighbourly sense of enclosure and loss of daylight / sunlight, to the detriment of the neighbouring occupiers.

For these reasons, it is considered that the proposed development is acceptable and complies with policy on neighbouring amenity.

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.

The NPPF states that all developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed

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 includes a new crossover and hardstanding. Policy T11 states that when considering proposals for the creation of a new access, the Council will, subject to road safety requirements, apply the following principles:

- (i) Strategic routes: no direct access will normally be permitted;
- (ii) London Distributor Roads: limited access will be permitted only where there is no alternative;
- (iii) Local distributor roads: access will normally be permitted where there is no suitable alternative;
- (iv) Local access roads: will be permitted, subject to road safety requirements.

Policy 34 of the Draft Local Plan considers that considers proposals for new vehicle accesses and new or extended vehicle crossings subject to road safety requirements and their compliance with the Council's Vehicle Crossing guidelines.

The above principles are intended to ensure that the creation of new accesses will not create a road safety hazard or interfere with the free flow of traffic on roads where the needs of through traffic should take precedence. Any proposal must comply with the Council's Highway Design Criteria for New Development, with regard to sightline criteria and pedestrian visibility. The policy applies where planning permission is required for formation of an access, that is, when the access will be on to a classified road.

Chelsfield Road is classified as a local distributor where there is no alternative available. The size of the frontage is such that vehicles will not be able to turn around on site. However, the neighbouring properties are in a similar position and have crossovers.

On balance it considered that the proposal would be acceptable and would not create a road safety hazard or interfere with the free flow of traffic subject to conditions

regarding parking layout, boundary enclosures, drainage and gradient as set out in this report.

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 regard to the relevant provisions of the policies set out above and other material considerations; it is considered that the proposed development would not materially harm the character or appearance of the area, nor would result in a terracing affect or the amenity of the surrounding occupiers.

As such, it is recommended that planning permission should be granted with the conditions set out in this report.

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 rear 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 (s) 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** 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.

- 6** Parking bays shall measure 2.4m x 5m and there shall be a clear space of 6m in front of each space (or 7.5m if garages are provided) to allow for manoeuvring and these spaces shall be permanently retained as such thereafter.

Reason: In order to comply with Appendix II of the Unitary Development Plan and in the interest of pedestrian and vehicular safety.

- 7** No wall, fence or hedge on the front boundary or on the first 2.5 metres of the flank boundaries shall exceed 1m in height, and these means of enclosure shall be permanently retained as such

Reason: In order to comply with Policy T18 of the Unitary Development Plan and in the interest of pedestrian and vehicular safety.

- 8** The gradient of the parking area shall not exceed 1:10 at any point.

Reason: In order to comply with Policy T18 of the Unitary Development Plan and in the interest of pedestrian and vehicular safety.

- 9** Surface water from private land shall not discharge on to the highway. Details of the drainage system for surface water drainage to prevent the discharge of surface water from private land on to the highway shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of works. Before any part of the development hereby permitted is first occupied, the drainage system shall be completed in accordance with the approved details and shall be retained permanently thereafter.

Reason: To ensure satisfactory implementation of the surface water drainage proposals and to accord with London Plan Policy 5.13 Sustainable Drainage