

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

Application No : 18/03959/FULL6

Ward:
Bickley

Address : 16 Canon Road, Bromley BR1 2SN

OS Grid Ref: E: 541623 N: 168899

Applicant : Mr Dan Morrish

Objections : YES

Description of Development:

Single storey rear extension

Key designations:

Biggin Hill Safeguarding Area
London City Airport Safeguarding
Open Space Deficiency
Smoke Control SCA 12
Smoke Control SCA 13

Proposal

The proposal comprises a single storey rear extension that would have a depth of 4m and a width of 1.7m. The extension would infill the north-west corner of the dwelling. It would have a flat roof with a height of 2.95m, featuring a roof light.

Location and Key Constraints

The application property is an "L-shaped" mid-terrace dwelling which is located on the north side of Canon Road.

The site does not lie within any conservation area and the property is not a listed building. The character of the area is residential in nature.

Comments from Local Residents and Groups

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

Objections

- Loss of light to the only window on the ground floor;
- Overbearing to the neighbouring property;
- No objection to the rooflight if it has no height and is built flush to the roof;
- No motorised extraction capability on the flank wall.

Comments from Consultees

Drainage Engineer:

- As most of the area in the rear garden is already hardstanding, this proposal would not increase flood risk.

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 in 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
BE1 Design of new development
ER13 Foul and surface water discharges for development

Draft Local Plan

6 Residential Extensions
37 General Design of Development
115 Reducing Flood Risk
116 Sustainable Urban Drainage System

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:

- In 1975, there was an application granted for a single storey rear extension for bathroom which was implemented.

Considerations

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

- Design
- Local Flood Risk
- 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 extension is not considered excessive in its size, scale or mass, and would not significantly harm the appearance of the host dwelling. Furthermore, given its siting to the rear it would not be highly visible from the streetscene and would not significantly impact upon the character of the area in general.

Having regard to the scale, siting and proposed materials it is considered that the proposed extension would complement the host property and would not appear out of character with surrounding development or the area generally.

Local Flood Risk

Policy ER13 of the UDP encourages all development should seek to incorporate Sustainable Urban Drainage System (SUDS) or to demonstrate alternative sustainable approaches to the management of surface water as possible. All development, including small developments, should aim to reduce surface water run-off to sewers and minimise rainwater run-off. Drainage officers raised no objection to this proposal as most of the proposed area where the extension would be built is already hardstanding, the proposal is not considered to increase flood risk.

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 extension would not project towards the rear of the property and would not be visible from the neighbouring property at No.14.

With regards to the west of the application site No.18, the concerns raised by the neighbours are noted. The extension is located adjacent to the shared boundary and the neighbours have expressed a number of concerns including that the proposal is overbearing and would cause loss of light from their only window on the ground floor. Given the orientation of the properties which are aligned broadly east-west, it is anticipated that there would be a degree of overshadowing in the early part of the day. Given the proximity of the extension to the boundary with this property, a degree of visual impact would arise. For information, members should be aware that an extension with a depth of 3m could be constructed as permitted development. It is not considered that an additional 1m would result in such a significantly greater impact that a refusal of planning permission on amenity grounds would be justified.

Having regard to the scale, siting, orientation and existing boundary treatment of the proposed 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 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: 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.