

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

Application No : 18/03577/FULL6

Ward:
**Bromley Common And
Keston**

Address : 1 Cheyne Close, Bromley BR2 8QA

OS Grid Ref: E: 542170 N: 165181

Applicant : Mr T Haycocks Ms L Clifford

Objections: NO

Description of Development:

Front porch, conversion of existing garage to form habitable space, part one/ two storey side/rear extension and elevational alterations.

Key designations:

Smoke Control SCA 22

Proposal

The application seeks permission for the addition of a front porch, conversion of existing garage to form habitable space, a part one / two storey side/rear extension, and elevational alterations.

The proposed part one/two storey extension would project 3.488m to the rear at ground floor level and 2.475m at first floor level beyond the rear of the dwelling. The extension would project 5.953m in width, and would wrap around the side of the existing dwelling to have a maximum depth of 6.2m at two storey level. The extension would then continue to project to the front of the property at single storey level, replacing the existing garage.

The front porch would project 0.7m forwards from the dwelling for a width of approx. 2.9m. Its roof would adjoin that of the single storey front element of the proposed part one/two storey extension, which would have a maximum height of 3.8m and an eaves height of 2.8m.

The proposed elevational alterations consist of alterations to the fenestration layout to the rear of the property to include the replacement of the existing door and two windows with one window.

Location and Key Constraints

The application site hosts a two storey dwelling sited on the eastern side of Cheyne Close. The site forms a corner plot at the junction with Cedar Crescent.

Comments from Local Residents and Groups

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

General

- In principle we have no objection to the overall design, but reservations in the execution of the work.
- Query using the joint dividing wall of the garages which at present is not strong enough to support heavier roofing or rows of bricks.
- Would hope to retain the slope and height of the pitched tile roof at the front which at present runs across No.1 and No.3.
- Would also not favour a timber supporting pole which would be in our eye line when exiting our garage.
- Not sure whether these details should be addressed before or after planning is granted?

Comments from Consultees

Highways: The development will result in loss of one parking space by conversion of the garage to a habitable accommodation. However, there are spaces available within the site's curtilage which would be utilised for parking. Therefore on balance as it is a small development I raise no objection to this proposal.

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

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;

- 18/00768/FULL6 - Part one/two storey side/rear extension, front porch, demolition of garage and minor alterations to windows and doors - Refused 16.04.2018

Considerations

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

- Design
- Highways
- Neighbouring amenity
- CIL

Resubmission

The application is a resubmission following the refusal of ref: 18/00768 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 result in it appear overbearing to the neighbouring property, contrary to Policies BE1, H8 and H9 of the Unitary Development Plan, and Policies 6, 8 and 37 of the emerging Local Plan.

The main alteration within this current application is the alteration to the design of the proposed part one/two storey in order to overcome the previous refusal ground.

The submitted Planning Statement indicates that to address the points raised the revised proposal seeks to reposition the first floor side/rear extension towards the rear of the property and introduce a separation of 1m between the flank boundary and the first floor extension itself.

The single storey element to the front of the property would continue to abut the boundary, to remain as the existing garage is built, and the first floor element has been set 1m in from the flank boundary and is set back 3.7m from the front elevation of the existing dwelling. The extension would also now wrap around the rear of the property, and the front porch has been reduced in its forward projection.

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 extension would be set back 3.7m from the front of the property and would be set 1m in from the flank boundary. It would be sited partially above the existing garage (proposed to be increased in its height and converted to a habitable room) which abuts the boundary, and the proposed development would therefore not comply with Policy H9s requirement for a 1m distance to be provided to the flank boundary for any developments of two or more storeys in height, for the full height and length of the flank wall.

The proposed extension would appear similar in its design to other examples within the streetscene, including the neighbouring property and a recently approved

extension at No.7 Cheyne Close (ref: 17/05605/FULL6). The extension would appear subservient to the host dwelling, and given that the first floor element would be set 1m from the flank boundary and that it would be set back significantly from the front of the property it is considered that the extension would not result in any significant harm to the spatial standards or visual amenities of the area. The current application is therefore considered to have sufficiently overcome the previous refusal grounds.

No concerns were raised within the previous application regarding the front porch and elevational alterations. These aspects would have not been significantly altered or enlarged within this application and would not result in any additional harm to the appearance of the host dwelling or streetscene in general.

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

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 development would result in the loss of one parking space by conversion of the garage to a habitable accommodation. However, there are spaces available within the site's curtilage which would be utilised for parking and therefore highways officers raised no objections to the proposal.

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.

Given the siting of the property and the proposed development the main impact is considered to be in relation to No.3 as a result of the part one/two storey extension. This would result in the dwelling projecting 2.8m closer to the boundary and 2.475m to the rear at first floor level, and 3.488m to the rear at ground floor level. The neighbouring property benefits from a two storey side extension which is set back significantly from the front of the property, and has two windows facing to the front. The proposed extension would not project significantly beyond the front of these windows and is not considered to appear overbearing when viewed from this extension. Furthermore, the additional depth to the rear is not considered to result in any significant loss of outlook to this neighbour. The orientation of the site is such that the extension would not result in a significant loss of light, and given the flank wall only includes an obscure glazed window the extension would not lead to a loss of privacy to this neighbour.

In terms of the impact on other nearby neighbours, the extension would not project excessively towards the rear of the existing house and is not considered to result in any significant harm to the amenities of 19 Cedar Crescent. Furthermore, the addition of a bedroom window facing this neighbour at first floor level is not considered to result in any significant opportunities for overlooking above that which already exist, and there is a sufficient separation distance to neighbours to the north to prevent any overlooking from the first floor bedroom window in the northern side elevation.

Having regard to the scale, siting, separation distance and orientation 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 not payable on this application.

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.

- 4** 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.

- 5** Before the development hereby permitted is first occupied the proposed window(s) in the first floor southern 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 (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

- 6** No windows or doors additional to those shown on the permitted drawing(s) 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.