

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

Application No : 18/03709/FULL6

Ward:
Hayes And Coney Hall

Address : 26 Mead Way, Hayes, Bromley BR2 9EW **Objections YES**

OS Grid Ref: E: 540296 N: 167421

Applicant : Mrs Jayne Rayment

Description of Development:

Part one/two storey rear and side extensions and loft conversion with rear and front dormers.

Key designations:

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

Proposal

The application seeks permission for a part one/two storey rear and side extensions and loft conversion with rear and front dormers. The existing garage sited to the rear of the dwelling would also be demolished.

The proposed development would incorporate a two storey side extension of approx. 1.8m in width that would match the depth of the existing dwelling. The extension would include a dormer within its front roofslope, and a further dormer would be added within the existing front catslide roof element. The single storey rear extension project a maximum of 8m beyond the rear of the property, though it would be staggered in its depth, and would have a depth of 3m along the shared boundary with No.28.

The proposal also includes the conversion of the loft to form habitable space, including the addition of two rear dormers, and the infill of the existing porch canopy.

Location and Key Constraints

The application site hosts a two storey semi-detached dwelling located on the northern side of Mead Way. The site falls partially within Flood Zone 3.

Comments from Local Residents and Groups

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

Objections

- o Would lead to overlooking to existing properties / loss of privacy.
- o Not in keeping with the area (in terms of scale and extent of garden that would be used up).
- o Not acceptable to extend this far into the garden.
- o Loss of outlook.
- o Application form states there are no trees within falling distance - though there are several and it is not clear if they would need to be pruned or removed.
- o Concerns that the bedrooms could be let out on an individual basis, whilst houses in the vicinity are family homes.
- o Increased parking congestion in the area.
- o Still apparently appears that there is lack of side space which was one of the reasons for refusal.

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

- o 08/01720/FULL6 - Two storey front and part one/two storey side and rear extensions - Refused 28.10.2008
- o 18/01945/FULL6 - Part one/two storey rear and side extension and loft conversion with rear dormers - Refused 09.07.2018

Considerations

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

- o Resubmission
- o Design
- o Highways
- o Neighbouring amenity
- o CIL

Resubmission

The application is a resubmission following the refusal of ref: 18/01945/FULL6 on the following grounds;

1. The proposed extension would result in the loss of the front catslide roof, unbalance the pair of semi-detached dwellings and would lack adequate side space, causing significant harm to the character and appearance of the street scene, contrary to Policies BE1, H8 and H9 of the Unitary Development Plan and Policies 6, 8 and 37 of the Draft Local Plan.
2. The proposed extension is considered excessive in its rearward projection, resulting in an overdevelopment of the site, out of character and scale with the surrounding area and harmful to the visual amenities of neighbouring residents, contrary to Policy H8 and BE1 of the Unitary Development Plan and Policies 6 and 37 of the Draft Local Plan.

The current application seeks to overcome the previous refusal grounds by reducing the depth of the single storey rear extension by approx. 2.3m, and altering the design of the extension to retain the catslide roof to the front.

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 extension would have a maximum depth of approx. 17.3m, to include an 8m single storey element which projects beyond the rear of the existing dwelling. The extension would be staggered so that it would not project this depth for its full width, and it would not project beyond the rear of the existing garage, which would be demolished to facilitate the extension.

Concerns were raised within the previous application with regards to the depth and footprint of the extension, particularly given its projection to the rear of the existing garage. The scale of the first floor element of the extension is considered modest, and the depth of the single storey rear element has been reduced approx. 2.3m from the previous application. Whilst the extension would be large in its maximum depth, it would not project this depth for its entire width and would not project beyond the rear of the existing garage. As such, the additional footprint to the property is not considered excessive and on balance it is considered the extension has been reduced sufficiently to overcome the previous concerns in that it would not result in significant harm to the character of the area. A condition is however recommended to remove permitted development rights in order to preclude further additions to the site and prevent an overdevelopment of the site.

With regards to the streetscene, the properties within this part of Mead Way are characterised by hipped roof profiles which feature a cat slide roof element at first floor level to the front of the properties. The current application retains the cat slide roof element to the front of the property, which would appear more in keeping with

the character of the area and prevent the pair of semi-detached dwellings appearing significantly unbalanced in their appearance. The application also includes two front dormers within the catslide roof. These dormers would be modest in their scale, and would appear similar in design and appearance to a number of other properties in the area which benefit from dormers within the catslide roofs to the front. It is therefore considered that the current application has overcome the previous concerns with regards to its design and appearance within the street, and would not result in a detrimental impact upon the character of the area or streetscene in general.

The proposed two storey extension element is considered modest in its width, and would provide a minimum side space of 0.9m, increasing to approx. 1.2m to the rear of the two storey element. Policy H9 normally requires a minimum side space of 1m to be provided to the flank boundary of the site for the full length and height of the development. The property adjoins the rear gardens of dwellings on Bourne Vale and there would be a significant separation distance between the extension and rear of these properties when viewed from the streetscene and therefore it is not considered unrelated terracing would occur.

Concerns had been raised within the previous application with regards to the extension appearing cramped within its plot. The current application has altered the design of the front which has reduced its bulk and lessened the appearance of a cramped development. Given the proposed design and the significant distance to neighbour properties facing onto Bourne Vale, it is considered on balance that the proposed development would not result in such significant harm to the spatial standards of the area as to warrant a refusal of the application on these grounds.

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 application includes the demolition of the existing garage and would therefore result in the loss of one parking space given that a garage would not be included within the proposed extensions. There are spaces available within the site's curtilage which would be utilised for parking, and on balance given the scale of the development no objections are raised from a highways perspective.

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 3m in depth along the shared boundary with No.28, before stepping away from the boundary by 3.4m before projecting to a depth of 6m, with its maximum projection of 8m set 4.2m from the boundary. The depth of 3m along the boundary is not considered excessive, and whilst the depth would then increase significantly its impact would be mitigated given the siting from the boundary and the modest eaves height of approx. 2.6m. The two storey element would not be visible from this neighbour, and on balance given the separation distance of the rear part of the extension from the boundary and the orientation of the site it is not considered any impact by way of loss of light or outlook would be sufficient to warrant a refusal on these grounds.

With regards to the impact on the neighbouring properties which face onto Bourne Vale, the extension would result in the main dwelling projecting closer to the shared boundary at two storey level. The extension would infill the gap between the existing property and existing garage which would increase its continuous projection along the rear boundaries of these properties. The proposed two storey side extension is considered modest in its width, and the single storey rear element has been reduced 2.3m from the previous application so that it would not project beyond the rear of the existing garage. There would be a separation distance of between 0.9m - 1.3m to the flank boundary from the extension, and approx. 19m from the rear of properties facing Bourne Vale, which would mitigate its impact. Given this separation distance and that the extension would not project beyond the rear of the existing garage, it is considered on balance that the development would not result in such significant harm to the visual amenities of the neighbouring residents that it would warrant a refusal on these grounds.

The proposed rear dormers would introduce windows at second floor level, however it is not considered these would result in any significant opportunities for overlooking above that which already exist from first floor level. It is noted concerns have been raised regarding overlooking from the windows of the proposed extensions. The first floor windows serve an en-suite w/c and landing and would be conditioned to prevent any overlooking to the rear of these neighbours. The windows at ground floor level would serve a variety of different rooms though views towards neighbouring properties would be mitigated by the existing boundary fence and vegetation. Given the existing boundary treatments and separation between

the properties it is considered the ground floor windows would not result in any significant opportunities for overlooking towards these neighbours,

Other representations have raised concerns regarding the impact on the existing large tree sited behind the garage. The extension would not project beyond the existing garage, and whilst no information has been submitted regarding the removal of the existing tree, it is noted that it is not covered by a tree protection order (TPO). Other concerns have been raised stating that the bedrooms could be let out individually in the future, however this does not form part of the application. Whilst these concerns are noted, the application must be assessed based on the individual merits of the submitted information which does not include the sub-division or change of use to a HMO.

Having regard to the scale, siting, separation distance and existing boundary treatment 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** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order amending, revoking and re-enacting this Order) no buildings, structures, alterations, walls or fences of any kind shall be erected or made within the curtilage(s) of the dwelling(s) hereby permitted without the prior approval in writing of the Local Planning Authority.

Reason: In the interests of protecting the character of the area and residential amenity of neighbouring properties in accordance with Policy BE1 of the UDP.

- 5** Before the development hereby permitted is first occupied the proposed window(s) in the first floor 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 shall at any time be inserted in the first floor flank elevation(s) of the development 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.