

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

**Application No :** 18/02740/FULL1

**Ward:**  
**Plaistow And Sundridge**

**Address :** 2 Avondale Road, Bromley BR1 4EP

**Objections:** Yes

**OS Grid Ref:** E: 540344 N: 170866

**Applicant :** Mr N R

**Description of Development:**

Conversion of existing dwelling to form two 4 bedroom dwellings (to include two storey side/rear extension, single storey rear extension and conversion of roof space to habitable space as permitted under ref: 16/01116/FULL6) and single storey detached outbuilding to rear.

Key designations:

Biggin Hill Safeguarding Area  
London City Airport Safeguarding  
Smoke Control SCA 7

**Proposal**

The application seeks permission for the conversion of existing dwelling to form two 4 bedroom dwellings. The application would include a two storey side/rear extension, single storey rear extension and conversion of roof space to habitable space which has previously been permitted under ref: 16/01116/FULL6), and the addition of a single storey detached outbuilding to rear.

**Location and Key Constraints**

The application site hosts a two storey semi-detached property located on a corner plot on the northern side of Avondale Road, at the junction with Brook Lane.

The property is not listed nor located within a Conservation Area.

**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**

- Strongly object to the conversion of the existing dwelling to form any extra dwelling on this site.

- Safety of children in rear gardens compromised by being overlooked.
- Loss of sunlight to gardens.
- Impact on health.
- Concerns the property will be used as a multi occupancy property which will then impact on parking and safety.
- Extension is not in keeping with existing properties on this side of Avondale Road, and no in keeping with existing building.
- Layout of front garden is also not in keeping.
- Loss of privacy.
- Rear extension appears to approach line of existing party wall and don't see how this can be built without considerable intrusion on our privacy.
- Loss of light.
- Concerns over potential commercial use of the outhouse and ambiguity of the use.
- Access via Brook Lane raises questions not only of privacy but also safety.
- Many accidents and near accidents on Brook Lane and cars emerging adjacent to No.2.

#### Comments from Consultees

Highways: I would like to avoid the single storey detached outbuilding to rear from becoming a self-contained dwelling, separate and apart from the original dwelling houses so please attach a conditions to prevent this from occurring something on the lines that in future single storey detached outbuilding to rear will stay as an integral part of the principal dwellings.

#### 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.

London Plan Policies

- 3.3 Increasing Housing Supply
- 3.4 Optimising Housing Potential
- 3.5 Quality and Design of Housing Developments
- 6.13 Parking
- 7.4 Local character
- 7.6 Architecture

Unitary Development Plan

- H1 Housing Supply
- H7 Housing Density and Design
- H8 Residential extensions
- H9 Side space
- H11 Residential Conversions
- T3 Parking
- T18 Road safety
- BE1 Design of new development

Emerging Local Plan

- 1 Housing supply
- 4 Housing Design
- 6 Residential Extensions
- 8 Side Space
- 9 Residential Conversions
- 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 (to be listed in date order with oldest first):

## Considerations

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

- Resubmission
- Principle
- Design
- Standard of residential accommodation
- Highways
- Neighbouring amenity
- Sustainability

### Resubmission

The application includes the same two storey side/rear extension, single storey rear extension and conversion of roof space to habitable space as previously permitted under ref: 16/01116/FULL6.

The current application seeks to also convert the resulting building to form two 4 bedroom dwellings.

A single storey detached outbuilding is also proposed to the rear of the property.

### Design and Principle

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.

Paragraph 124 of the NPPF (2018) states that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

Paragraph 127 of the NPPF (2018) requires Local Planning Authorities to ensure that developments will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; are visually attractive as a result of good architecture, layout and appropriate and effective landscaping and are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities). New development shall also establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit; optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and create places that are safe, inclusive and accessible and which

promote health and well-being, with a high standard of amenity for existing and future users and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

London Plan and UDP policies further reinforce the principles of the NPPF setting out a clear rationale for high quality design.

The scale and bulk of the proposed two storey side/rear extension, single storey rear extension and conversion of roof space would remain the same as previously approved under the previous applications. As such it cannot be considered that this would result in any unacceptable harm to the appearance of the host building or the character of the area in general. The main concern with regards to this application is therefore the conversion of the property into two separate units.

The current application proposes the conversion of the property into two separate units, which would turn the existing pair of semi-detached dwellings into a row of 3 terraced dwellings. The area is quite varied in terms of its character and includes a mix of detached, semi-detached and terraced dwellings of varying sizes. The principle of converted the existing dwelling is therefore considered acceptable, particularly given that the design would include a shared entrance door to the building which would retain the appearance of a semi-detached dwelling to the front.

The application also includes the addition of a single storey outbuilding to the rear, sited in the garden of Unit 1. The outbuilding would measure approx. 10.8m wide and 7.8m deep, featuring a dual pitched roof with a maximum height of 3.9m and an eaves height of 2.5m. It is noted that the outbuilding has been approved under a Lawful Development Certificate application (ref: 17/00061/PLUD) and could therefore be constructed in any case, however given its inclusion within this application it is required to be assessed on its own planning merits. The outbuilding would be large in size, however is not considered excessive given the size of the rear garden in which it would be sited. Furthermore, it would be set a minimum of 2m from the boundary of the site, and would pitch down to a modest eaves height, with its impact within the streetscene further mitigated by the existing boundary screening along the flank and rear boundaries. It is therefore considered that it would not result in any unacceptable harm to the character of the area. The outbuilding is intended to be used as a gym and office space which is considered acceptable in principle, however given its footprint a condition is recommended to ensure that the outbuilding remains ancillary to the main dwelling and is not severed to form a separate unit of accommodation.

#### Standard of residential accommodation

In March 2015 the Government published The National Technical Housing Standards. This document prescribes internal space within new dwellings and is suitable for application across all tenures. It sets out requirements for the Gross Internal (floor) Area of new dwellings at a defined level of occupancy as well as floor areas and dimensions for key parts of the home, notably bedrooms, storage and floor to ceiling height. The Gross Internal Areas in this standard will not be adequate for wheelchair housing (Category 3 homes in Part M of the Building

Regulations) where additional internal area is required to accommodate increased circulation and functionality to meet the needs of wheelchair households.

Policy H7 of the UDP sets out the requirements for new residential development to ensure a good standard of amenity. The Mayor's Housing SPG sets out guidance in respect of the standard required for all new residential accommodation to supplement London Plan policies. The standards apply to new build, conversion and change of use proposals. Part 2 of the Housing SPG deals with the quality of residential accommodation setting out standards for dwelling size, room layouts and circulation space, storage facilities, floor to ceiling heights, outlook, daylight and sunlight, external amenity space (including refuse and cycle storage facilities) as well as core and access arrangements to reflect the Governments National Technical Housing Standards.

The London Plan makes clear that ninety percent of new housing should meet Building Regulation requirement M4 (2) 'accessible and adaptable dwellings' and ten per cent of new housing should meet Building Regulation requirement M4 (3) 'wheelchair user dwellings', i.e. is designed to be wheelchair accessible, or easily adaptable for residents who are wheelchair users. The relevant category of Building Control Compliance should be secured by planning conditions.

The converted building would provide two separate units, with Unit 1 forming a 4 bed 7 people dwelling, and Unit 2 forming a 4 bed 6 people dwelling. The proposed units would provide a GIA of 121sqm and 112sqm respectively, and would therefore exceed the minimum space standards required for dwellings of this size. The size of the bedrooms and the layouts of each dwelling are also both considered acceptable.

Amenity space is provided by way of a rear garden to each of the proposed properties. Each garden would exceed the minimum required private amenity space expected, though Unit 1 (4 bed, 7 people) would benefit from a significantly larger garden than then Unit 2 (4 bed, 6 people). Whilst the garden to Unit 2 would be smaller than others within the area, it is considered that it would provide sufficient amenity space and would not be so out of keeping with the area as to warrant a refusal on this ground.

## 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.

Highways Officers consider that the proposed development would provide adequate off-street parking and have raised no concerns with regards to the proposed development, subject to a number of conditions, including to ensure the development does not result in any harm to highway safety. Further to this, highways officers have stated they would like to avoid the single storey detached outbuilding to rear from becoming a self-contained dwelling, separate and apart from the original dwelling houses, and have requested a further condition to prevent this from occurring and to ensure that in future the single storey detached outbuilding will stay as an integral part of the principal dwellings.

### 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.

With regards the impact on neighbouring properties, the proposed scale and bulk of the extensions would be the same as permitted under the previous applications. Given this application would not result in the increase in the size of the resulting building it is not considered that it would result in any additional harm by way of loss of light or outlook.

In terms of privacy the current application includes alterations to the internal layout of the property as a result of the conversion into two separate units. The layout would include windows serving bedrooms to the rear of the properties which would provide a degree of overlooking from first and second floor levels to the rear garden of the neighbouring property. However, the existing dwelling currently benefits from existing windows which already provide this view, and the proposed development is therefore not considered to result in any significant opportunities for overlooking above that which already exist. Furthermore, the relationship between the two proposed units would also be considered acceptable with regards to privacy.

### Sustainability

The NPPF requires Local Planning Authorities to adopt proactive strategies to mitigate and adapt to climate change. London Plan and Draft Local Plan Policies advocate the need for sustainable development. All new development should address climate change and reduce carbon emissions.

Policy 5.3 Sustainable Design and Construction of the London Plan states that the highest standards of sustainable design and construction should be achieved in London to improve the environmental performance of new developments and to

adapt to the effects of climate change over their lifetime. Policy 5.2 Minimising Carbon Dioxide Emissions of the London Plan states that development should make the fullest contribution to minimising carbon dioxide emissions in accordance with the hierarchy; Be Lean: use less energy; Be clean: supply energy efficiently and Be green: use renewable energy.

CIL

The Mayor of London's CIL is a material consideration. CIL is 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.

**as amended by documents received on 27.09.2018**

**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 No windows or doors shall at any time be inserted in the elevation facing towards the attached neighbour at No.4 of the extensions 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.

- 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 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.

- 7 The proposed single storey outbuilding to the rear shall be used only by members of the household occupying the permitted dwelling referred to as Unit 1 on the submitted plans, and shall not be severed to form a separate self-contained unit.

Reason: In order to comply with Policy H8 of the Unitary Development Plan, to ensure that the outbuilding is not used separately and unassociated with the main dwelling and so as to prevent an unsatisfactory sub-division into two dwellings.

- 8 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.

- 9 Before the access hereby permitted is first used by vehicles, it shall be provided with visibility splays and there shall be no obstruction to visibility in excess of 1 metre in height within these splays except for trees selected by the Local Planning Authority, and which shall be permanently retained thereafter.

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

- 10 While the development hereby permitted is being carried out a suitable hardstanding shall be provided with wash-down facilities for cleaning the wheels of vehicles and any accidental accumulation of mud of the highway caused by such vehicles shall be removed without delay and in no circumstances be left behind at the end of the working day.**

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

- 11 The arrangements for storage of refuse (which shall include provision for the storage and collection of recyclable materials) and the means of enclosure shown on the approved drawings shall be completed before any part of the development hereby permitted is first occupied, and permanently retained thereafter.**

**Reason: In order to comply with Policy BE1 of the Unitary Development Plan and in order to provide adequate refuse storage facilities in a location which is acceptable from the residential and visual amenity aspects.**

- 12 Prior to the commencement of the development hereby permitted a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall include measures of how construction traffic can access the site safely and how potential traffic conflicts can be minimised; the route construction traffic shall follow for arriving at and leaving the site and the hours of operation, but shall not be limited to these. The Construction Management Plan shall be implemented in accordance with the agreed timescale and details.**

**Reason: In order to comply with Policy T5, T6, T7, T15, T16 & T18 of the Unitary Development Plan and in the interest of the amenities of the adjacent properties.**

- 13 Details of a scheme to light the access drive and car parking areas hereby permitted shall be submitted to and approved in writing by the Local Planning Authority before the development hereby permitted is commenced. The approved scheme shall be self-certified to accord with BS 5489 - 1:2003 and be implemented before the development is first occupied and the lighting shall be permanently retained thereafter.**

**Reason: In order to comply with Policy T3 and Appendix II of the Unitary Development Plan in the interest of visual amenity and the safety of occupiers of and visitors to the development.**

- 14 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**

- 15 No loose materials shall be used for surfacing of the parking and turning area hereby permitted.**

**You are further informed that :**

- 1 You should contact extension 4621 (020 8313 4621 direct line) at the Environmental Services Department at the Civic Centre with regard to the laying out of the crossover(s) and/or reinstatement of the existing crossover(s) as footway. A fee is payable for the estimate for the work which is refundable when the crossover (or other work) is carried out. A form to apply for an estimate for the work can be obtained by telephoning the Highways Customer Services Desk on the above number.**
- 2 Any repositioning, alteration and/ or adjustment to street furniture or Statutory Undertaker's apparatus, considered necessary and practical to help with the modification of vehicular crossover hereby permitted, shall be undertaken at the cost of the applicant.**