

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

Application No : 17/00940/FULL6

Ward:
Copers Cope

Address : 11 Oakwood Avenue Beckenham BR3
6PT

Objections: YES

OS Grid Ref: E: 538360 N: 169216

Applicant : Mr P Srinivasan

Description of Development:

Part one/two storey side/rear extension including front dormer and roof alterations to form habitable accommodation in roof space

Key designations:

Biggin Hill Safeguarding Area
London City Airport Safeguarding
Open Space Deficiency
Smoke Control SCA 9
Smoke Control SCA 21

Proposal

This application seeks permission for part one/two storey side/rear extension including front dormer and conversion of roof space to form habitable accommodation

The scheme has undergone several revisions and now presents rearward projections between 4m (single storey) (to the north-west) flank and 4.01m (two storey) to the south-east flank and 5m (two storey) to the north-west flank. The maximum two storey projection including the bay elements will be 5.6m.

The single storey element is set c 1.48m from the north-west boundary and the two storey element will be set c 5.8m from the north-west boundary and 1m from the south-east boundary.

Location and Key Constraints

The application site comprises a detached two storey dwelling. The rear garden faces in a north-easterly direction and the land levels rise to the north and east.

Comments from Local Residents and Groups

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

- Overlooking and effects on privacy
- Effects on existing extension at No9

Further objection was received to revised plans:

- Not much change from previous plans.
- Overlooking and impact on privacy: Number of rear windows overlooking our property from the second and third floors is very intrusive to our privacy.
- Impair the amount of light we currently receive at the back of our property.
- What planning considerations are in place in changing the roof line to accommodate three dormer type windows in the roof space at the rear?
- Over development
- Would raise no objection to single storey as limited impact on privacy and light

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

BE1 Design of new development

Draft Local Plan

6 Residential Extensions

8 Side Space

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

Application Number	Description	Decision
13/00887/FULL6 with balustrade	Part one/two storey rear extension incorporating roof terrace	REF
13/02428/FULL6 balcony area REF	Part one/two storey rear extension incorporating first floor	
16/02001/FULL6 rear dormer REF	Part one/two storey rear extension to include balcony area;	

The reasons for refusal for 16/02001 were:

The proposed extension by reason of its excessive rearward projection and relationship to the adjacent property at number 9 would be harmful to the amenities that the occupiers of that property may reasonably be able to continue to enjoy with regard to overshadowing, loss of prospect and visual impact thereby contrary to Policies BE1 and H8 of the Unitary Development Plan and Policy 7.4 of the London Plan.

The proposal will not respect the amenity of future occupants and result in rooms with inadequate daylight provision thereby contrary to Policy BE1 of the Unitary Development Plan.

Considerations

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

- Resubmission
- Design

Resubmission

Historic reports have noted that "The area is characterised by mainly detached properties of varying designs and styles. It is noted that whilst the principle of extending the property would not be out of character, the planning history reveals concerns relating to the overall size, siting and excessive rearward projection".

The latest, previously refused scheme sought consent for part one/two storey rear extension to include balcony area; rear dormer. The two storey extension proposed a rearward projection of approximately 5.8m beyond the main rear building line.

This revised scheme reconfigures the proposal with the two storey development located to the south-east of the site and reduces the depth of the single storey element to c 4m; the scheme also now excludes the terrace to first floor, and offers a reconfigured roof design. It includes for a small dormer to the front and revised design includes new chimney stack and extended roof viewable from the street scene.

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 is substantial, mostly to the rear of the host dwelling. A one metre side space is maintained to the boundary for the two storey element.

Neighbour concerns ask what planning considerations are in place in changing the roof line to accommodate three dormer type windows in the roof space at the rear. They also raise concern that the proposal is an over-development of the site.

Policy BE1 and H8 apply and seek sympathetic roof design and materials; that development proposals should be imaginative and attractive to look at and should complement the scale, form, layout and materials of adjacent buildings and areas. Policy advises that dormer windows should be of a size and design appropriate to the roofscape and sited away from prominent pitches unless a feature of the area. In this instance the roof design includes pitch roof, is subservient to the original ridge line and has sought to address concern with bulk. The proposed rear roof design is considered to address policy requirements.

A small dormer to the front is proposed however given the design of the host dwelling, that the area is characterised by mainly detached properties of varying designs and styles and that the dormer is subservient in nature this element of the design is not considered to result in a detriment to the street scene.

Neighbour concerns raise that of over-development. As mentioned, this is a substantial proposal. When considered in the context of adjacent development at No 13 and that the design has sought to decrease the bulk of the development across the rear of the site towards No 9, on balance the amount of development proposed may be considered acceptable.

On balance and having regard to the form, 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.

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.

It is considered, given the relationship with the adjacent house at No 13, that impact on neighbouring amenity to No 13 is unlikely to be significant.

Objections are received from No 9 in respect of the original plans and concerns are raised in respect of overlooking and effects on privacy and on the impacts to the single storey extension at No 9. Objections received in response to revised plans maintain concern with impact on privacy and light.

The proposal does include for windows to the rear of the dwelling plus to the converted roof space. However the windows are rearward facing and will allow for the type of oblique overlooking that is fairly general within such a suburban location. It is not considered that this would result in a reason for refusal for the scheme.

It is noted that No 9 is at a lower level than the application site and has a single storey rear extension in-situ. This has roof lights and, what appear to be, two sets of bi-fold, rear facing doors. The proposed single storey element is c 4m deep and will be set c 1m from the boundary. The two storey element will be c 5.8m from that same boundary. Given the revised design of the scheme and the separation of the two storey element from the boundary to No 9, even allowing for the difference in levels it may be considered, on balance, that the scheme will not result in such an overbearing impact and has sufficiently addressed the previous grounds of refusal.

The agent has advised that loft room, 5, shown on plans is for storage only.

Having therefore had regard to the scale, siting and separation of the development and relationship to adjacent development, it is not considered that a significant loss of amenity with particular regard to light, outlook, prospect and privacy would arise.

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

as amended by documents received on 31.08.2018 26.10.2018

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 Loft room 5 as shown on drawing number Ma522 0209 01 L shall only be used for storage purposes and shall not be used for habitable accommodation without the prior written approval by the Local Planning Authority.**

REASON: In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of the amenity for future occupiers.