

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

Application No : 18/05031/FULL6

Ward:
Hayes And Coney Hall

Address : 27 Stuart Avenue Hayes Bromley BR2
7JX

Objections: No

OS Grid Ref: E: 540238 N: 166350

Applicant : Mr Richard Truelove

Description of Development:

First floor side extension, garage conversion and elevational alterations.

Key designations:

Biggin Hill Safeguarding Area
London City Airport Safeguarding
Open Space Deficiency
Smoke Control SCA 51

Proposal

The application seeks planning permission for a first floor side extension, the conversion of the garage to a storage area and utility room and elevational alterations.

The proposed first floor side extension will measure 7.6m in depth with a width of 3.7m that increases to 4.1m towards the rear. The extension will have an 'M' shaped pitched roof that measures 4.3m in height (7.2m from ground floor level) at pitching down to 2.6m at the eaves. The elevational alterations consist of installing bi-fold doors and a window to the rear elevation and a door to the side elevation.

Location and Key Constraints

The application site comprises a two storey semi-detached dwelling located on the eastern side of Stuart Avenue, Hayes. The property is not listed and does not lie within any area of special designation.

Comments from Local Residents and Groups

Nearby owners/occupiers were notified of the application and no representations were received.

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.

No objection; please include the following with any permission: OC03 (Car Parking).

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.

According to paragraph 48 of the NPPF decision takers can also give weight to relevant policies in emerging plans according to:

- The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- 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
- The degree of consistency of the relevant policies in the emerging plan to the policies in the Framework.

The Council is preparing a Local Plan. The submission of the Draft Local Plan was subject to an Examination In Public which commenced on 4th December 2017 and the Inspector's 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
T3 Parking

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

88/01192/FUL - Single storey side extension - Application Permitted.

Considerations

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

- Design
- Neighbouring amenity
- Highways
- 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.

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 first floor side extension will be set back 0.7m from the front elevation and will retain a separation distance of 6.5m to the public highway. The extension will have an 'M' shaped pitched roof which sits approximately 1.6m lower than the main ridge line with an eaves height which matches that of the host dwelling. It is therefore considered that the proposed side would be subservient to the main dwelling and would not overdevelop the site as a whole. Insofar as possible the proposed materials would match those of the host dwelling which would be complementary and compatible with the application site and developments in the surrounding area.

The side extension will sit above the existing garage and kitchen. Due to the garages proximity to the boundary with No.6 Husseywell Crescent the proposed will not be able to provide the 1m side space to the flank boundary of the site for the full height and length of the flank wall of the building normally required by Policy H9. It is noted that, the presence of the term 'normally' in the body of UDP policy H9 implies, a need for discretion in the application of the having regard to several factors including the characteristics of the site and its surroundings, the precise nature of the proposal and the objectives of the policy as set out in the explanatory text.

In this instance the flank boundary of the site adjoins the rear garden of No.6 and as a result the proposed will sit approximately 21m from the rear of the neighbouring dwelling. Taking this into consideration along with the proposed extensions pitched roof, its lowered ridge height, and it's set back from the public highway, it is considered that the proposed would not lead to a cramped appearance or to possible unrelated terracing.

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 result in a detrimental impact upon the spatial standards and visual amenity of the area.

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 side extension will not extend past the rearmost wall of the host dwelling and, as noted above, will be 21m away from neighbouring properties to the south. Taking this into account along with the height and depth of the proposed and orientation of the site it is not considered that the proposed will adversely impact on the residential amenity of the neighbouring properties.

The proposed window to the first floor flank elevation will serve an en-suite bathroom and a condition can be included as part of any permission requiring for it to be obscure glazed which will both protect the privacy of future occupiers and reduce the risk of overlooking. Taking into account the size and location of the windows to the front and rear elevations it is not considered that there would be an increased chance of overlooking or loss of privacy.

The conversion of the garage will result in a storage area which is accessed from the garage door and a utility room that is integrated into the main dwelling. It is not considered that the conversion will lead to an increase in noise outside that which already exists or which would be expected from a residential dwelling.

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

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 development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

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 proposed conversion of the garage to a storage area and utility room will result in the loss of one car parking space. There are spaces within the site's curtilage which would be utilised for vehicle parking and Council's Highways Officer has raised no objection to the proposal. Therefore, on balance, it is not considered that there would be any adverse impact on parking.

CIL

The Mayor of London's CIL is a material consideration. CIL is not payable on this application and the applicant has not 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: To comply with Section 91 of the Town and Country Planning Act 1990

- 2 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 UDP and in the interests of visual and residential amenity.

- 3 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.

- 4 Before the development hereby permitted is first occupied the proposed window 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 shall subsequently be permanently retained as such.**

Reason: In the interests of protecting residential amenity in accordance with Policy BE1 of the UDP.

- 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 details as set out in this planning permission 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.