

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

**Application No :** 18/04964/FULL6

**Ward:**  
West Wickham

**Address :** 42 Manor Park Road West Wickham  
BR4 0JZ

**Objections:** Yes

**OS Grid Ref:** E: 537775 N: 166266

**Applicant :** Mr Dayo Adeyemo

**Description of Development:**

Single storey rear extension.

Key designations:

Smoke Control SCA 51

**Proposal**

The application seeks planning permission for a single storey rear extension. The extension will have a depth of 3.5m, width of 5.6m and a pitched roof measuring 3.6m at its maximum and dropping down to 2.6m at the eaves.

**Location and Key Constraints**

The application relates to a two storey semi-detached dwellinghouse located on the northern side of Manor Park Road, West Wickham. 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 one representation was received which can be summarised as follows:

- Although reduced the design will still cast a shadow. The shadow will reduce our natural daylight to an unacceptable level.
- Natural light through our kitchen and dining room windows will be reduced to an unreasonable degree.
- The shadow caused by the extension will result in the patio always being damp.
- The extension will cause a tunnelling effect which will close in our outlook and impact on our family life.
- The semi-detached house is not design to accommodate this type of extension.

**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 makers 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 NPPF.

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

BE1 Design of New Development

Draft Local Plan

6 Residential Extensions

37 General Design of Development

## Supplementary Planning Guidance

SPG1 - General Design Principles

SPG2 - Residential Design Guidance

### **Planning History**

17/01583/FULL6 - 5m Single storey rear extension - Application Refused.

Reason for Refusal: The proposed extension, by reason of its excessive rear projection, would result in an oppressive feature harmful to the amenities of neighbouring property No.40 by way of visual impact and a loss of outlook and daylight, thereby contrary to Policies BE1 and H8 of the Unitary Development Plan.

18/01796/FULL6 - Single storey 4m rear extension - Application Refused.

Reason for Refusal: The proposed extension, by reason of its depth would result in a dominant form of development, harmful to neighbouring residential amenities by way of a loss of outlook and prospect contrary to Policy BE1 of the Unitary Development Plan, Supplementary Planning Guidance Number 1 & 2 and Policy 37 of the Draft Local Plan.

18/01844/PLUD - Certificate of lawfulness for loft hip to gable and rear dormer extension - Proposed use/development is lawful.

### **Considerations**

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

- Resubmission
- Design
- Neighbouring amenity
- CIL

#### Resubmission

The application is a resubmission of planning application reference 18/01796/FULL6. The main differences between the applications are a reduction in depth from 4.0m to 3.5m and an increase in the eaves height from 2.4m to 2.6m.

#### 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 proposed extensions size, scale and bulk would not significantly alter the appearance of the host dwelling. The proposed depth and height of the extension would be subservient to the main dwelling and not overdevelop the site as a whole. Insofar as is possible the proposed materials will match those of the existing dwelling which would be complementary and compatible with the application site and developments in the surrounding area. The extension would not be visible from the street and so will not harm the character of the area or the streetscene in general.

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 extension would project along the boundary with No.40 which has not been extended at the rear. Following the last planning application the proposed depth of the extension has been reduced from 4.0m to 3.5m. The reduction in the depth, along with the pitched roof and modest eaves height, works to lessen the impact of the development on No.40. Taking this into account, along with the generous garden sizes of the properties and the orientation of the site, it is

considered that, on balance, any impact the proposed would have on No.40 would not be adverse enough to warrant a refusal of the application.

The application site is separated from the neighbouring property, No.44, by a shared drive and access. As a result the proposed extension would sit at least 2.0m from this neighbouring property. Taking this into account, along with the orientation of the properties and the height and depth of the proposed, it is considered that the development would not result in overshadowing, loss of light or an overbearing impact to this property. The proposed location of the rear windows and rooflights would not result in overlooking or loss of privacy to either neighbouring property over and above that which currently exists.

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.

### 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, 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.**