

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

Application No : 18/03610/FULL6

Ward:
Hayes And Coney Hall

Address : 2 Tiepigs Lane Bromley BR2 7HJ

Objections: Yes

OS Grid Ref: E: 539555 N: 166186

Applicant : Mr Larke & Mrs Commins

Description of Development:

Two-storey front and rear, and first floor side extension and associated elevational alterations.

Key designations:

Biggin Hill Safeguarding Area
London City Airport Safeguarding
Open Space Deficiency
Smoke Control SCA 2

Proposal

Planning permission is sought for an amendment of planning permission 17/02293/FULL6 to incorporate two-storey side and single-storey rear extensions and associated elevational alterations.

The amendments proposed above the extant permission are:

- A 1.8m x 2.5m infill extension to the north-western rear elevation to create a WC;
- Decreases in with of first floor extension over sitting room by 0.5m;
- Addition of a first floor to create bedroom 4 (4.5m x 2.6m) above proposed kitchen;
- Removal of chimney on front (south-eastern) elevation;
- Three additional windows in south-eastern elevation (one at ground and two at first floor);
- Removal of first floor window to master bedroom in north-western elevation;
- Change from window to door at ground floor in north-western elevation;
- Removal of first floor windows in north-eastern elevation;
- Repositioning of first floor window in south-eastern elevation; and
- Removal of door in south-western elevation from kitchen extension.

The application can be divided into 4 main elements:

1. Two storey front: This is 2.3m deep, 4.6m wide with a pitched gable-end roof to a maximum height of 6.8.
2. Part one/two storey side: This is to be located above the exiting dining room extension which was approved under ref: 77/672. The extension would provide an additional bedroom and would increase the maximum height of the existing

extension by 2.4m to a total height of 6.7m from ground level. The extension would measure 4.2m wide and 5.8m deep.

3. Part one/two storey rear: This would measure 2.7m deep and 7.2m wide at ground floor level and 4.5m at first floor level with a pitched roof to a maximum height of 6.7m (and increase of 2.1m over the extant permission). This element would provide a re-located kitchen, WC and 4th Bedroom.
4. Elevational alterations and alterations to the roof: The hipped roof on the north-western side of the property is to be altered from a hip to gable end, and minor alterations to link it with the new extensions.

The extensions will be finished in matching materials.

Location and Key Constraints

The site is located on the western side of Tiepigs Lane on the corner with Hayes Hill Road and at the top of the hill.

The property is not in a Conservation Area and is not a Listed Building. The surrounding area is mainly residential in nature.

Comments from Local Residents

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

Objections

- Confusion over the plans submitted;
- Concerned they were not notified about the previous applications;
- Overdevelopment of the site;
- The original small cottage has been lost;
- Loss of a view given the slope of the road which is not taken into account in the drawings;
- They are not building in correlation with the plans submitted;
- Concern over the proposal of grey tiles, area is characterised by brown/red tiles;
- Concern that the plans do not show the rooflights which have already been installed.

Planning Considerations

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:

The London Plan (2016):

Policy 7.4 Local Character
Policy 7.6 Architecture

Unitary Development Plan (2006):

BE1 Design of New Development
H8 Residential Extensions
H9 Side Space
T18 Road Safety

Draft Local Plan (2016):

Draft Policy 6 Residential Extensions
Draft Policy 8 Side Space
Draft Policy 32 Road Safety
Draft Policy 37 General Design of Development

Other Guidance:

Supplementary Planning Guidance 1 - General Design Principles
Supplementary Planning Guidance 2 - Residential Design Guidance

Planning History

Under planning ref. 77/672, planning permission was granted for a two storey side extension.

Under planning ref: 17/02293/FULL6, planning permission was granted for a two storey front, side and single storey rear extensions together with elevational alterations and alterations to the roof (03.08.2017).

Following this under ref: 17/04094/FULL6, planning permission was granted for an amendment of planning permission 17/02293/FULL6 to incorporate two-storey side and single-storey rear extensions and associated elevational alterations (30.10.2017).

Conclusions

It is considered the planning issues and considerations relate to:

- Resubmission
- Design and bulk
- Neighbouring amenity
- CIL

Resubmission

The application proposes an amendment of planning permissions 17/02293/FULL6 and 17/04094/FULL6 for the following:

- A 1.8m x 2.5m infill extension to the north-western rear elevation to create a WC;
- Decrease in width of first floor extension over sitting room by 0.5m;
- Addition of a first floor to create bedroom 4 (4.5m x 2.6m) above proposed kitchen;
- Removal of chimney on front (south-eastern) elevation;
- Three additional windows in south-eastern elevation (one at ground and two at first floor);
- Removal of first floor window to master bedroom in north-western elevation;
- Change from window to door at ground floor in north-western elevation;
- Removal of first floor windows in north-eastern elevation;
- Repositioning of first floor window in south-eastern elevation; and
- Removal of door in south-western elevation from kitchen extension.

Design and Bulk:

London Plan Policy 7.4 requires developments to have regard to the form, function, and structure of an area. Policy BE1 states that all development proposals, including extensions to existing buildings, will be expected to be of a high standard of design and layout. Policy H8 states that the design and layout of proposals for the alteration or enlargement of residential properties will be required to (i) the scale, form and materials of construction should respect or complement those of the host dwelling and be compatible with development in the surrounding area and (ii) space or gaps between buildings should be respected or maintained where these contribute to the character of the area.

Policy H9 states that when considering applications for new residential development, including extensions, the Council will normally require the following:

(i) for a proposal of two or more storeys in height, a minimum 1 metre space from the side boundary of the site should be retained for the full height and length of the flank wall of the building; or

(ii) where higher standards of separation already exist within residential areas, proposals will be expected to provide a more generous side space. This will be the case on some corner properties.

The Council considers that the retention of space around residential buildings is essential to ensure adequate separation and to safeguard the privacy and amenity of adjoining residents. It is important to prevent a cramped appearance and unrelated terracing from occurring. It is also necessary to protect the high spatial standards and level of visual amenity which characterise many of the Borough's residential areas. Proposals for the replacement of existing buildings will be considered on their merits.

The proposed part one/two storey side and rear extensions would follow the existing built footprint which would therefore accord to with policy H9.

The proposal comprises of three extensions and alterations to the existing house which would alter its appearance. However, in one crucial respect the generous side spaces are maintained. The rear building line of the neighbouring property at No.37 Hayes Hill Road currently extends beyond the application property and there is dense vegetation and shrubbery along this boundary.

It is considered that the current spatial characteristics and positioning of buildings would give scope to extend the property. The 2.7m deep rear extension and 2.3m two storey front extensions, first floor side extension together with the alterations to the roof is considered to be modest in this context in so much as it would be subservient to the host dwelling.

The extensions and alterations to the front are not considered to be substantial in scale and would enhance the appearance of the existing agreeable.

The changes to the roof whilst will result in a modest increase in height to parts of the roof, these would not increase the maximum height of the roof as it exists at present.

Concern has been raised over the impact from the alterations on the character of the host building given its original proportions and design, however, whilst the development proposes a number of extensions which increase the bulk of this dwelling, it is considered that they can be absorbed within the site without unduly impacting on the spatial characteristics of the area or the appearance of the dwelling, and given the extant permission on site the modest increase in size now proposed is considered to be acceptable and complies design policies BE1, H8 and H9 of the UDP and London Plan Policies 7.4 and 7.6.

Neighbouring Amenity:

Policy BE1 (v) states that the development should respect the amenity of occupiers of neighbouring building and those of future occupants and ensure their environments are not

harmed by noise and disturbance or by inadequate daylight, sunlight or privacy or by overshadowing. This is supported within Policy 7.6 of the London Plan.

The extensions would be located to the front, side and rear of the property.

The nearest neighbouring property is No. 37 Hayes Hill Road which is a bungalow approximately 6m to the south-west, given the location on the hill whilst the neighbouring property is a bungalow it sits at a higher level and as a result is only approximately 1.5m below the existing application house as such the two storey rear extension which does project in front of No 37, given the changes in level there would be no significant impact on this property from the two storey rear extension. The two storey front extension would introduce an additional window in the flank elevation, there are currently 2 windows facing the rear garden of No. 37 however there is dense vegetation and shrubbery along this boundary and whilst this is not protected (TPO or Conservation Area) they do provide some level of screening and privacy.

With regards to the alterations to the roof, this would be visible from the first floor flank widow of No. 37, however given the slight increase in height and other changes to the roof on balance given the changes in level, the orientation and the scale of the development on balance it is considered that the proposal would not result in any un-neighbourly sense of enclosure and loss of daylight / sunlight, to the detriment of the neighbouring occupiers.

In terms of loss of privacy and noise and disturbance from the new amenity area, it was noted on site that there is already an existing patio in this area and as such the increase in size is not considered sufficient to warrant a refusal solely on this basis given the current situation.

Previously concern was raised over the loss of a view from a neighbouring property, there is no statutory right to protect a view, however consideration much be given to loss of light and un-neighbourly sense of enclosure. The properties to the east, north and south are between 16-25m from the host property, and whilst it is appreciated that the view of the house will be altered through these extensions it is important to note that given the distances, changes in level, the orientation and the extant planning permission on site it is considered that the proposal would not result in any un-neighbourly sense of enclosure and loss of daylight / sunlight, to the detriment of the neighbouring occupiers.

For these reasons, it is considered that the proposed development is acceptable and complies with policy on neighbouring amenity.

CIL

The Mayor of London's CIL is a material consideration. CIL is not 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 06.11.2018

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: 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.