

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

**Application No :** 18/03178/FULL6

**Ward:**  
**West Wickham**

**Address :** 13 Hayes Chase West Wickham BR4  
0HU

**Objections:** Yes

**OS Grid Ref:** E: 539262 N: 167601

**Applicant :** Mr & Mrs Bryan

**Description of Development:**

Part one/two storey side and rear extension with roof alterations

**Key designations:**

Biggin Hill Safeguarding Area  
London City Airport Safeguarding  
Smoke Control SCA 2

**Proposal**

Planning permission is sought for a part one/two storey side and part one/two storey rear extension with a roof alteration.

The single storey extension would be aligned with the main front elevation of the host building and would wrap around the existing south-eastern rear corner of the dwelling, being sited within the existing side vehicular access leading to the detached rear garage (to be demolished) and being for the full width of the rear elevation of the dwelling, abutting the share boundary with No 11 and aligning with the existing side elevation of the dwelling 1m from the boundary with No 15. The rear element would be 3m and 4.3m deep and the side element would be 11m deep and 2.4m wide. Proposed single storey side/rear extension would be characterized by partly mono-pitched and partly mansard roof 3.5m high to the pitch and 3m to the eaves. Two roof lanterns would be inserted to the flat roof of the proposed single storey rear element and four small roof-lights to the mono-pitched roof of the proposed single storey side element.

First floor extensions are proposed to the side and rear. The side element would be 1.55m wide, set back from the main front elevation by 6m, would be 6.3m deep and would incorporate a pitched roof with a side hip and a subservient ridgeline. The extension to the rear would extend an existing two storey rear projection by 1.3m and would be 3.4m deep on the side of the shared boundary with No 15 within a distance of 1.1m from this boundary aligning with the main south-western flank elevation. Two flank windows at the first floor level are proposed, however they are windows of non-habitable rooms (bathroom and landing).

The proposed development would provide an extended area of the existing kitchen, an utility/play area, a bathroom and an office at the ground floor level and a bedroom at the first floor.

**Location and Key Constraints**

The application site comprises a two storey detached dwelling with a detached garage positioned to the rear/side of the host dwelling adjacent to the boundary with No 11. The

site lies on the south-eastern side of Hayes Chase and benefits from off-street parking and a large rear garden. The host dwelling at present is separated from the side boundary with No 11 by the width of the driveway leading to the rear garage (approx. 2.55m).

The properties along Hayes Chase share a regularity and consistency of appearance with a reasonably spacious character enhanced by the spacious front gardens of well set back properties. There are some examples within area where the similar side/rear extensions have been implemented (Nos 3, 8, 11, 15 20, 24, 38).

### **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

- There will be a significant reduction in daylight to the kitchen window (No15) due to the 3.4m deep two storey extension which will detrimentally affect the outlook.
- The ground floor side windows of the Kitchen/Dining/Sitting room will face the kitchen window of No.15, affecting privacy.

### **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 development plan for Bromley comprises the Bromley Local Plan (January 2019), the London Plan (March 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

#### Bromley 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**

There is no relevant planning history relating to the application site, however first floor rear extension was built in 1985; building control ref. 85/82877.

### **Considerations**

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

- Design
- Neighbouring amenity
- 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. 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 Bromley Local Plan policies further reinforce the principles of the NPPF setting out a clear rationale for high quality design.

Hayes Chase is characterised by detached dwellings sited in reasonably wide plots. Many houses have been extended to the side to replace the former detached garages and some have been the subject of first floor extensions. In general, the impression of spaciousness in the immediate locality has been protected by the retention of gaps at first floor level which afford views between the dwellings.

The first floor side extension would lie above a ground floor element adjacent to the boundary below set back from the main front elevation by 6m as such the space at first floor level would retain and due to the design of the extension to include a subservient pitched roof this element would be almost invisible from the street view. Therefore it is not considered that this would have a detrimental impact on the visual amenity of the street scene. Policy 8 refers to the desirability of retaining space about buildings to safeguard the amenity of neighbouring residents, to prevent a cramped appearance and to avoid unrelated terracing. The proposed side element of the extension would be consistent with the other extensions to which the planning permissions have been granted. What is more, both neighbouring properties are benefiting from the similar site/rear extensions (No15, reference number 00/00057/FULL1 and No11, reference number 06/03408/FULL6). Having regard to the form, scale, siting and proposed materials it is considered that the proposed extensions would not appear out of character with surrounding development or the area generally.

### Neighbouring amenity

Policy 37 of the Bromley Local Plan 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.

Concern has been expressed regarding the impact of the proposed 3.4m deep two storey rear extension on the amenities of the occupants of No 15 Hayes Chase. Planning permission was granted under reference 00/00057/FULL1 for the construction of a part one/two storey side and rear extension of No15. The proposed two storey rear extension would project from the existing two storey rear extension of No15 by approximately 0.95m and given the orientation of the dwelling in relation to each other, with the proposal property due north-east it is considered that the proposed development would not increase potential loss of daylight and prospect to the rear and side of the adjoining dwelling. Concern has been raised as well regarding the impact of the proposed flank windows at the ground level. Since the boundary treatment up to 2m doesn't require planning permission proposed flank windows would unlikely affect the privacy of occupiers at No 15. With regards to the kitchen window of No15, there is another large window serving this kitchen, facing to their rear garden. The proposed single storey rear extension would project from the existing single storey extension of No15 by 3m and due to its position to the north-east would not harm the amenities of this property.

With regards to the impact of the proposal on the residential amenities of neighbouring property No 11, which benefits from the similar extension as proposed with two storey rear extension and given the existing garage sited on the shared boundary with this property on the application site, it is considered that the proposal would not harm the amenities of this property.

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

Subject to the imposition conditions regarding the use and retention of obscure glazing to the first floor flank windows it is not considered that an unacceptable loss of privacy to neighbouring dwellings would arise.

### 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 28.09.2018**  
**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: 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 37 of the Bromley Local Plan and in the interests of visual and residential amenity.**

- 3** Before the development hereby permitted is first occupied the proposed first floor flank windows 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 (s) shall subsequently be permanently retained as such.

**Reason: In the interests of protecting residential amenity in accordance with Policy 37 of the Bromley Local Plan**

- 4** 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 37 of the Bromley Local Plan and in the interest of the appearance of the building and the visual amenities of the area.**