

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

Application No : 18/04731/FULL6

Ward:
Petts Wood And Knoll

Address : 75 Lynwood Grove, Orpington BR6 0BQ **Objections:** Yes

OS Grid Ref: E: 545374 N: 166661

Applicant : Mr & Mrs Jinesh Patel

Description of Development:

Demolition of existing side garage and extension, and rear extension. Two storey front/side extension and part two storey/single storey rear extension.

Key designations:

Biggin Hill Safeguarding Area
London City Airport Safeguarding
Open Space Deficiency
Smoke Control SCA 4
The Knoll Area of Special Residential Character

Proposal

Permission is sought for the demolition of the existing side garage/extension and rear extension, and the erection of two storey front/side extensions and part one/two storey rear extension.

At ground floor level, the proposed garage/storage will project 2.6m forward and will project 3.1m from the northern flank elevation providing 1.5m side space. It will have a total depth of 12.6m. At first floor level, the proposal will incorporate a front catslide roof with front dormer. It will have a total depth of 9.8m. At the rear, the proposed ground floor extension will project 5m to the rear, and will be 7.62m wide. At first floor level the depth will reduce to 3.5m.

Elevational alterations include relocating the front entrance door to the centre of the property and alterations to windows. The proposal also incorporates a hipped roof to both sides and a new front gable feature, set back 0.25m from the main façade.

Revised plans were received 23.01.2019 which reduced the depth of the two storey side extension by 0.75 and increased the first floor front extension.

The application is supported by the following documents:

- Statement in response to objections
- Light Report
- Proposed street scene elevation

This application has been 'called-in' by ward Councillors.

Location and Key Constraints

The site is a two storey detached property located on the western side of Lynwood Grove. The topography of the area slopes down from south to north.

The site is located within an Area of Special residential Character, following recent adoption of the Bromley Local Plan (January 2019).

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

- Whilst it has been reduced from the previous application, it is still enormous, increasing the original footprint by 150%
- Not sympathetic to the siting, scale, proportion or design of the existing property, but overwhelms it.
- Proposal does not accurately describe the relationship with the adjacent neighbours.
- Being located on a rather steep slope No75 is 2m below No73 and 2.5m above No77, which has significant implications on light, privacy, visual amenity and stability
- Due to the steep slope No75 is set forward 6.5 metres to be considerate of light, privacy and stability
- Impact on foundations
- Increase bulk will dominate the street and create an overbearing tunnelling effect
- Extending the ground floor to the rear by a further 1.5m, as well as adding the rear first floor extension, with rear facing windows that overlooks this private area, would result in loss of privacy
- Loss of light to non-opening lounge window
- Windows in the proposed extension will have a close up, direct view into this window
- Side window should be obscured and non-opening
- Overbearing and incongruous addition and would fail to respect the setting and form of neighbouring properties.
- If the LPA is minded to consider granting consent, then the provision of a Construction Logistics Plan should be a condition, covering working hours and timing of deliveries due to the narrowness of the road.
- The proposal contravenes the adopted SPG2 (Residential Design Guidance) regarding extensions. (Quoted within the objection submission, not repeated in this report but available to view on the file).
- Loss of sunlight and daylight to kitchen, dining room and bedroom of No77
- Two floor side extension will be overbearing with a 13m high wall causing sense of confinement
- Loss of light to two bedroom windows in southern flank of No77. The proposed development has tried to accommodate this by way of a dormer on the front of the house, however should this be reduced by 1m?
- Will set a damaging precedent
- The proposed side window located in the proposed office/playroom overlooks the front of No73

Neutral

- This proposed development is far more preferable than the previous. From my point of view (behind the property) I am happy for this to go ahead but not to the detriment of the adjoining properties and I am not in a position to comment on this.
- From the front numerous developments that have taken place along Lynwood (apart from one further up the road) are very sympathetic to the area and this plan looks in keeping.
- The houses are old and need updating to modern living.

Local Groups (The Knoll Residents Association)

- Disproportionate size
- Even though it is considerably smaller than the previous proposal it will still double the floor space of the original house
- The alterations at the front of the house will make it much bulkier and more dominant than neighbouring homes and will have an enclosing effect on No73
- The issue is exacerbated as Lynwood Grove slopes steeply downwards at this point - the ground level drops 2 metres between each plot
- Loss of privacy for numbers No73 and No77 and will overlook the house at the rear
- Loss of sunlight and overshadowing to No77 - already 2 metres lower than number No75 therefore the proposed extension will be the equivalent of 3 storeys and will have a 13 metre high wall on their northern boundary
- Excavation work could affect the retaining walls between the houses causing instability and possible subsidence damage
- Lynwood Grove is included in the area which will soon become an ASRC and this application contravenes several of the development criteria, especially i, iii, v, and ix.

Revised plans were received 23.01.2019, and neighbours were re-notified. Representations were received, which can be summarised as follows:

Objections

- Previous concerns remain
- Light report submitted by neighbour (full document available to view on the file) - the proposal will significantly reduce sunlight and daylight to No.77
- Whilst previous drawings have been superseded, it is difficult to see what material changes have been made to the proposals.
- A "light" report has been submitted, but this includes no calculations of Vertical Sky Component, Daylight Distribution analysis nor Average Daylight Factor as may be expected for a sunlight/daylight report. Without these calculations, how can it be proved that there is no impact on the adjoining properties and whether the BRE criteria are met?
- Lynwood Grove forms an integral part of the Knoll and the application to make the Knoll an Area of Special Residential Character (ASRC) has now been approved and adopted by the Bromley council.
- Impact on ASRC - The proposal clearly changes the character, style and appearance of the property and its relationship with those properties surrounding it; being located on a steep slope the effect is much more noticeable.
- Policy H9 of UDP (8 of BLP) states where higher standards of separation already exist within residential areas, proposals will be expected to provide a more generous side space
- Proposed street scene elevation is inaccurate and does not represent the terrain.

Support

- It appears that the applicants have changed the plans dramatically to accommodate adjoining properties
- From my perspective, at the rear of the property, I have no objection to the most recent plans.
- The applicants have made varying changes to the facade of the property in keeping with the adjoining properties unlike other developments further along the road.
- The property is in need of renovation to suit modern day living.

Local Groups (The Knoll Residents Association)

- The changes in the amended plans are extremely minor.
- This extension will still have significantly damaging effect on neighbouring properties through loss of light and privacy.
- The Knoll Residents Association also notes that one of the neighbour comments in support of the application was in fact submitted by the architect.

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.
- Please include the following condition with any permission: H03 (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.

The development plan for Bromley comprises the Bromley Local Plan (Jan 2019) and 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

44 Areas of Special Residential Character

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

- 73/03269 - Replacement of attached garage (living room and garage) - Permitted 23.10.1973
- 79/01715 - Alterations and extension to existing conservatory - Permitted 02.08.1979

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 UDP policies further reinforce the principles of the NPPF setting out a clear rationale for high quality design.

Policies 6 and 37 of the Bromley Local Plan (BLP) and the Council's Supplementary design guidance seek to ensure that new development, including residential extensions are of a high quality design that respect the scale and form of the host dwelling and are compatible with surrounding development.

The site is located within The Knoll Area of Special Residential Character (ASRC). Policy 44 states that proposed developments within an ASRC will be required to respect, enhance and strengthen their special and distinctive qualities.

The proposed garage/storage will project 2.6m forward and will project 3.1m from the northern flank elevation. It will have a total depth of 12.6m. At first floor level, the proposal will incorporate a front catslide roof with front dormer. It will have a total depth of 9.8m. The existing garage/extension will be removed to accommodate the proposal and the separation to the northern flank boundary will increase to 1.5m for the full height and depth of the extension. The size and design is considered to be in keeping with the host property. Elevational alterations include relocating the front entrance door to the centre of the property. The proposal also incorporates a hipped roof to both sides and a new front gable feature, set back 0.25m from the main façade. From visiting the site, it was noted that there are a number of properties along this road with multiple gable frontages, including No's 50, 61, 63, 66 and 67. It is also evident that there is already a variation in

design and degrees of individuality, whilst maintaining the overall character of the street. A proposed street scene elevation of No's 71-77 was received 13.02.19, which demonstrates the changes in ground level and separation between properties. The bulk and width of the property is considered to be in keeping with surrounding development. Overall, it is considered that the proposal will not detract from the overall character and appearance of the host dwelling or the wider ASRC.

At the rear, the proposal will project 5m to the rear, and will be 7.62m wide and at first floor the depth will reduce to 3.5m. The proposal will maintain 1m separation to the southern flank boundary, as such will not be visible from the street. It is therefore considered that the proposed rear extension will not impact significantly on the character of the surrounding area.

Having regard to the form, scale, siting and proposed materials it is considered that the proposed extensions would complement the host property and would not appear out of character with surrounding development or the wider ASRC.

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 transport issues should be considered from the earliest stage of both plan making and when formulating development proposals and development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

The NPPF states that all developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed

London Plan and BLP Policies encourage sustainable transport modes whilst recognising the need for appropriate parking provision. Car parking standards within the London Plan and BLP should be used as a basis for assessment

The proposal includes a replacement garage/storage room which is only 2.825m wide and 2.29m deep. The front elevation will contain a garage door however the internal space is too small to park a vehicle. As such, the proposal is considered to result in the loss of one parking space. Nonetheless, there are spaces available within the site's curtilage which would be utilised for parking. As such, no objection was raised from a highways perspective.

Neighbouring amenity

Policy 37 of the BLP 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 noted that the topography of the area is such that the ground slopes down from south to north. Furthermore, due to the bend in the road, the properties are staggered. As such, the application site is set lower and forward of No.73, but higher and to the rear of No.77

The proposed part one/two storey side extension will have a total depth of 12.6m at ground floor level and 9.8m deep at first floor level. Concerns have been raised with

regards to the impact on the daylight and sunlight of No.77. Given the orientation and topography of the area, it is considered that the proposed extension will result in an increased impact on No.77 with regards to loss of light and outlook. However it is noted that the proposal increases the side space to 1.5m for the full height and depth of the extension, and incorporates a front catslide roof and hipped roof to the side, which helps to reduce the overall bulk when viewed from the rear of No.77. In addition, the replacement garage has been set back 0.5m from the existing garage and incorporates a cat slide roof with first floor front dormer to reduce the overall bulk and impact on the first floor flank (secondary) bedroom windows of No.77. It is noted that one new window is proposed in the northern flank elevation which will serve the utility room. The submitted plans indicate this window will be obscure glazed therefore it is not considered to result in overlooking or loss of privacy. Given the siting and separation, the part one/two storey side extension is not considered to impact on the neighbouring property to the south, No.73.

At the rear, the proposed extension will be 5m deep at ground floor level, reducing to 3.5m at first floor level. It will be 7.62m wide, providing 1m separation to the southern flank boundary and 4.6m separation to the northern flank boundary. Given the significant separation to the northern flank, this element is not considered to impact on the amenities of No.77 with regards to loss of light, outlook or privacy. To the south, No.73 is situated further to the rear within its plot. The proposed rear extensions will not project beyond the rear of this neighbouring property. It is noted that there is a high level window within the flank elevation of No.73 which serves a lounge, however given the separation, orientation and topography of the site, the proposal is not considered to result in a significant impact on light or outlook to this flank window.

The proposal also incorporates a hipped roof to the rear and sides, a new front gable feature and alterations to windows. Concerns have also been raised regarding the proposed windows within the southern flank elevation. The existing elevation currently contains 5 windows, serving the kitchen, bathrooms and stairwell. The proposed elevation will contain two windows; one ground floor window to serve the study/playroom and one obscure glazed first floor window to serve an en-suite. It is therefore considered that the proposal will not impact on privacy levels, over and above that already existing.

There is substantial separation to the properties to the rear (Dale Wood Road) therefore the proposal is not considered to result in a loss of amenity to the occupiers of properties to the rear.

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

CIL

The Mayor of London's CIL is a material consideration. CIL is not payable on this application.

Conclusion

Having had regard to the above it is considered that the development in the manner proposed is acceptable, and will not harm the character of the host dwelling or the ASRC that the property is located within, nor the amenities of occupiers of neighbouring dwellings.

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 23.01.2019

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 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.

- 4 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 30 of the Bromley Local 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.

- 5 Before the development hereby permitted is first occupied the proposed first floor window (southern flank) and proposed ground floor window (northern flank) 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