

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

Application No : 19/00124/FULL6

Ward:
Chislehurst

Address : 1 Denbigh Close Chislehurst BR7 5EB **Objections:** Yes

OS Grid Ref: E: 542726 N: 170784

Applicant : Mr & Mrs Irwin

Description of Development:

First floor side extension to create additional bedroom with ensuite

Key designations:

Smoke Control SCA 10

Proposal

Planning permission is sought for the construction of a first floor side extension. The extension would be 4.25m in width (same as approved under ref: 07/02931/FULL6) and 6.5m deep (1.4m shallower than approved under ref: 07/02931/FULL6). The extension would be set back from the front elevation by 0.2m and would have a pitched roof to a maximum height of 7.7m (0.4m lower than approved in 2007).

The extension would be finished in matching render at the front and rear together with matching facing brickwork to the flank.

The application was called to committee by the Local Ward Councillor.

Location and Key Constraints

The application site is a detached two-storey house located on the northern side of Denbigh Close.

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 and Groups

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

Objections

- Proposal is contrary to NPPF, Local Plan and SPG with regards to design and impact on residential environment;
- Design out of keeping with host building and area;

- The plans are unclear on how the render and brick will work together on the house;
- Concern that the gutters are enclosed and would therefore not conform with local vernacular;
- When viewed from No. 13a Clifford Avenue the extension would look like an office or industrial facility;
- The parapet wall will be higher than original house and result in a dominant feature;
- Development would be detrimental to street scene,
- Does not provide 1m side space;
- Loss of light to garden and loss of private amenity;
- Daylight survey should have been provided;
- Plans are inaccurate;
- Plans do not show topography of site and how land slopes.

Support

- The proposal would be in keeping with the other similar properties on the street which have had very similar extensions;
- Improve the visual amenity of the local area;
- Provide an improvement in living space to the host dwelling;
- Similar proposal has been approved in the past and this current one is smaller and more sympathetically designed;
- Permission should be given.

Local Groups

The Chislehurst Society wishes to make the following OBJECTION to the above application:

Generally, properties in the locality of the application site occupy generous plots. All properties in Denbigh Close, including the application site, have a side space of c1m. width giving access to the rear garden of the property. Dwellings having an attached garage to the side elevation have not extended above the garage. It is noticeable that even when garages of neighbouring dwellings abut there has been no sideways extensions over either garage roof.

These 'gaps' provide 'long-views' from the street to the trees beyond and a light and airy feel within the Close; adding to the quality of the setting for residents and the character of the locality.

The application site has a side space of c1m. width along its eastern side giving access to the rear garden of the property. On the western side an attached garage abuts the boundary line with the neighbouring property in Clifford Avenue.

The proposed works, at first floor level, appears to be a side extension over the existing garage that will result in a two-storey side flank wall abutting the boundary line with the neighbouring property in Clifford Avenue.

As such, the proposal does not comply with BLP policies No P8.

Please note the above is a summary of objections received and full text is available on the Council's website.

Comments from Consultees

Tree Officer: No objections

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 24 July 2018 and updated on 19 February 2019.

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 (2016)

7.4 Local character

7.6 Architecture

Bromley Local Plan (2019)

6 Residential Extensions

8 Side Space

37 General Design of Development

73 Development and Trees

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:

07/02931/FULL6 – Planning permission was granted for a two storey side extension (05.10.2007).

10/02127/EXTEND – Planning permission was granted for an extension of time limit for implementation of permission reference 07/02931 granted for two storey side extension (02.09.2010).

16/02370/FULL6 – Planning permission was granted for roof alterations to incorporate front and rear dormers and single storey side/rear extension (23.06.2016).

Considerations

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

- Design
- Side space
- 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 BLP policies further reinforce the principles of the NPPF setting out a clear rationale for high quality design.

London Plan Policy 7.4 requires developments to have regard to the form, function, and structure of an area. Policy 37 of the Bromley Local Plan states that all development proposals, including extensions to existing buildings, will be expected to be of a high standard of design and layout. Policy 6 of the BLP 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.

The Council will normally expect the design of residential extensions to blend with the style and materials of the main building. Where possible, the extension should incorporate a pitched roof and include a sympathetic roof design and materials.

Concerns have been raised over the design of the extension, however the extension is considered to be sympathetically designed to complement the host building, the first floor is set back and the ridge height lower than the host building, as such it is considered that the extension would not appear overly bulky or dominant within the street scene, and would not detract from the character and appearance of area generally.

The plans show the extension will be rendered to the front and rear with facing brickwork to the side to blend with the existing ground floor of the house. The plans include an insulated gutter which will prevent run-off going towards No. 13a, whilst the neighbouring houses do not have this style of gutter, it is considered that this design approach would not be

unacceptable or impact detrimentally on the character of the host building or street scene generally.

Letters of support have also been received, these letters consider that the development would complement the character of the host dwelling, be of a similar appearance to neighbouring extension and would not impact detrimental on the street scene generally.

The extension would be visible from both Clifford Avenue and Denbigh Close and it is considered that the development would complement the character and appearance of the host dwelling and similar to the other extended properties within Denbigh Close and for these reasons, it is considered that the proposed development is acceptable and complies with policy on design.

Side Space:

Policy 8 of the Bromley Local Plan 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 first floor side extension would be located above the existing garage which is adjacent to the western boundary with the rear garden of No. 13a Clifford Avenue. Whilst the proposal would not provide a "minimum 1 metre space from the side boundary of the site for the full height and length of the flank wall of the building" the proposal would not result in a terracing effect between the extension and any neighbouring property, the proposed extension would also not cause a cramped appearance within the wider streetscene given that the extension is adjacent to the rear garden of No. 13a. It is considered the separation distance retained allows for high spatial standards and a high level of visual quality to be maintained. Therefore does not conflict with the reason for the side space policy.

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. This is supported by London Plan Policy 7.6.

Concerns have been raised over design which has been discussed above.

With regards to the impact to No. 13a, a daylight/sunlight survey is not a validation requirement for this form of development. No. 13a is located approximately 14m to the west and it is noted that the parapet wall will be higher than the existing eaves, whilst a full topographical survey has not been provided it can be seen that there are changes in land levels between the two sites and the extension will be visible. Nevertheless, taking into account the orientation together with the separation distance it is considered that the development would not have any significant impact on the neighbouring amenities to warrant refusal on this basis.

Concerns have been raised over the accuracy of the plans, the legality as to whether an extension or development can be built is not a material planning consideration and would be a civil matter if planning permission was granted. On site measurements of the height of the garage and the rear extension to current ground floor levels were taken and these are consistent with the measurements scaled from the submitted existing plans. If when building it comes to light that the development cannot be completed in accordance with the approved plans and need to be made larger then a new planning application maybe required however this in itself would not be a reason for refusal.

In terms of loss of privacy, there are no windows proposed in the flank elevation, whilst this does result in a blank façade it does alleviate any potential issues that may arise from overlooking or perceived loss of privacy.

Having regard to the scale, siting, separation distance, 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 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.

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 No windows or doors (other than those shown on the plans hereby approved) shall at any time be inserted in the first floor western elevation(s) of the first floor side extension hereby permitted.

Reason: In order to comply with Policy 37 of the Bromley Local Plan and in the interest of the amenities of the adjacent properties.

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.