

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

Application No : 19/01202/FULL6

Ward:
Bromley Town

Address : 49 Forde Avenue Bromley BR1 3EU

Objections: No

OS Grid Ref: E: 541064 N: 169008

Applicant : Mr Michael Rutherford

Description of Development:

Single storey rear extension

Key designations:

Biggin Hill Safeguarding Area
Bromley Town Centre Area Buffer 200m
London City Airport Safeguarding
Open Space Deficiency
Smoke Control SCA 13
Smoke Control SCA 12

Proposal

The application seeks planning permission for a single storey rear extension. The extension measures 3.8m in depth along the boundary with No.51 and 2.8m along the boundary with No.47 at a width of 6.0m. The extension measures 3.7m in height at its maximum with four rooflights that project 0.2m. A small raised patio and steps to the rear garden are also shown on the submitted plans. The patio measures 1.8m in depth and 0.6m in height.

Location and Key Constraints

The application relates to a three storey mid-terrace dwellinghouse located on the western side of Forde Avenue, Bromley. 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 no representations have been received.

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 London Plan (March 2016) and the Bromley Local Plan (2019). 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
37 General Design of Development

Supplementary Planning Guidance

SPG1 - General Design Principles
SPG2 - Residential Design Guidance

Planning History

12/03902/PLUD - Loft conversion with rear dormer window and front rooflights (Certificate of Lawfulness for a Proposed Development) - Proposed use/development is lawful

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.

Paragraph 124 of the NPPF (2019) 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 (2019) 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 Bromley Local Plan policies further reinforce the principles of the NPPF setting out a clear rationale for high quality design.

The proposed rear 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 would not overdevelop the site as a whole. While the proposed materials will not completely match those of the host dwelling it is considered that they are 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 extensions would complement the host property, and would not appear out of character with surrounding development generally or the wider area.

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.

The proposed rear extension will project along the boundary with No.47 for a depth of 2.8m. While the development will have a visual impact on this neighbouring property it is considered that the rear extension will not result in overshadowing,

loss of light or an overbearing impact when the height and depth of the proposed and the orientation of the site is taken into account.

The rear extension would project 3.8m in depth along the boundary with No.51 which sits to the north of the host dwelling. No.51 has not been extended at the rear and is stepped with the recessed element sitting adjacent to the application site. There is an existing boundary wall between the two properties and as a result the proposed will project a further 2.8m in depth past this neighbour's rear wall. As a result of its positioning and the orientation of the site the proposed would have a visual impact on this neighbour and would result, to a degree, in a loss of direct sunlight. Taking into account the extensions height and depth, along with the generous garden sizes of the properties it is considered that the proposed extension would not have an adverse impact on the amenity of this neighbouring property. The proposed door and rooflights, because of their location and size, would not result in an increased chance of overlooking out of character in terms of that expected within a typical residential layout.

The host dwelling currently benefits from a small raised area and steps at the rear. The proposed would have a greater depth of 0.2m and greater height of 0.2m. Taking this additional height and depth into account it is considered that the raised patio and steps would not result in an increased chance of overlooking or loss of privacy 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 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 building shall be as set out in the planning application forms and / or drawings unless otherwise agreed in writing by the Local Planning Authority.**

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.