

SECTION '2' – Applications meriting special consideration

Application No : 19/00263/FULL6

Ward:
Bickley

Address : 1 Oldfield Close Bickley Bromley BR1
2LL

Objections: No

OS Grid Ref: E: 542863 N: 168290

Applicant : Mr Loughman

Description of Development:

Part demolition and reconfiguration of existing garage to form lounge, alterations to existing lounge to form new garage with pitched roof, first floor front and two storey rear extensions, removal of chimneys, new chimney stack to side and elevational alterations.

Key designations:

Smoke Control SCA 13
Smoke Control SCA 12

Proposal

Planning permission is sought for a two storey rear extension, gable ended front façade, new garage door and new chimney stack. Upgrade works to the aesthetics of the building and internal reconfiguration.

Additional drawings were received from at the agent on 26th April 2019 to illustrate the distance of the property to the northern and southern boundaries.

Location and Key Constraints

The site is located on the north-eastern side of Oldfield Road, Bromley. Oldfield Road is a cul-de-sac built in 1959 with seven individually designed detached properties. No.1 has an existing dropped kerb for off road car parking.

The application is accompanied by a Design & Access Statement.

Comments from Local Residents and Groups

Nearby owners/occupiers were notified of the application and no letters of representation were received.

Consultee comments

Highways - The access arrangements are not changing. The proposed unit would have a single garage and there is other parking available on the frontage.

Please include the following conditions in any permission:

OC03 parking
ND16 hardstanding
PC16 arrangements for construction period

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 (2019) and the London Plan (2016).

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

Under planning application ref:- 17/04236/FULL1 planning permission was refused for 'demolition of existing house and redevelopment of site with 2 x 4 bedroom two storey detached dwellinghouses, dropped kerb for off-street parking and covered bin store. The application was also dismissed on appeal on 25.04.2018.

Considerations

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

- Resubmission
- Design
- Neighbouring amenity

Resubmission

Under planning application ref:- 17/04236/FULL1 planning permission was refused for 'demolition of existing house and redevelopment of site with 2 x 4 bedroom two storey detached dwellinghouses, dropped kerb for off-street parking and covered bin store. The application was also dismissed at appeal on 25.04.2018.

The current application seeks to update and redesign the existing property internally and externally. The existing garage is to be relocated to the other side of the property and incorporate a new chimney stack. The main development to the property will be to the front and rear.

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

Policy 7.4 of the London Plan seeks that buildings should provide a high quality design that has regard to the pattern and grain of the existing spaces and streets in orientation, scale, proportion and mass and contributes positively to the character of the area. Consistent with this the National Planning Policy Framework (NPPF) states that new development should reflect the identity of local surroundings and add to the overall quality of the area.

Policies 6 & 37 of the Bromley Local Plan 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.

Policy 8 of the Bromley Local Plan seeks to prevent a cramped overdevelopment of a site which can lead to unrelated terracing and to safeguard the amenities of the neighbouring properties. It requires any extensions of two or more storeys to have a minimum of 1m side space for the full height and length of an extension, in order to prevent a cramped appearance. In certain areas where high spatial standards exist currently, a greater level of side space is expected such as in an ASRC.

Supplementary Planning Guidance indicates the importance of retaining the architectural integrity of the host dwelling, with extensions being required to respect the buildings composition, especially the roof and rhythm of form.

The cul-de-sac was built in the 1950/60's and comprises predominantly two storey properties of varying designs. Whilst no one design of house dominates the road and No.4 is an anomaly being a bungalow all the properties are defined by their width.

The accompanying Design & Access Statement sets out that the following works are proposed including the following double storey rear extension; gable ended front façade; revised garage location; and upgrade works to improve the aesthetics of the building.

The main increase in bulk, scale and mass to the property is to the front and rear of the property. To the front a gable ended façade will be added with traditional mock tudor style with timber cladding and render infill. The existing property is of no architectural merit and so the change to the design and front is on balance considered to be acceptable on the basis that all the properties in Oldfield Close are all different. Whilst the front extension will add additional development to the front of the property, including the first floor which introduces a projecting gable, the proposal would be modest in width and depth with a ridge height that would not extend above that of the main house. The property would retain the garage door but on the other side on the (nearest to the boundary with No.2).

Policy 8 of the Bromley Local Plan (2019) is relevant. This policy provides (in part):

"When considering applications for new residential development, including extensions, the Council will normally require the following:

(a) 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;"

This policy seeks to ensure "that the retention of space around residential buildings at first floor level and above 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."

It is noted that, the presence of the term 'normally' in the body of Local Plan policy 8 strongly implies, a need for discretion in the application of the having regard to several factors including the characteristics of the site and its surroundings, the precise nature of the proposal and the objectives of the policy as set out in the explanatory text.

Additional drawings were received by the agent to assist Officers with their assessment as to whether the proposal complied with Policy 8 (Side Space).

An assessment of the additional drawings show that the existing garage on the ground floor sits hard on the northern boundary which splays from front to back. The proposed development shows that the existing garage will be relocated to the opposite side of the property and the existing garage will be designed and become a lounge area. As part of the redesign the ground floor will be set in by 0.8m from the boundary before extending back by 2.2m and then returning hard up to the boundary. At first floor level the property will be set in by 0.3m at the front before splaying back to 2m.

On the southern boundary a separation of between 0.3m to the front exists before splaying back to 0.5m to the rear.

The proposed design changes show that the development is not strictly in accordance with Policy 8 but given the splayed nature of the northern boundary coupled with the fact that the house would not be changing beyond its existing footprint Members may agree that the development would not cause terracing or appear cramped in the streetscene despite not having a full 1m side space to either boundary.

A material consideration in the determination of the application is the previous Inspector's appeal decision, which whilst for 2 x 4 bedroom two storey detached properties, was not dismissed on the grounds of having inadequate side space. The Inspector noted under paragraph 8 that..."the proposed development would be able to achieve gaps of between 0.51m-2.51m along the length of the flank elevations to neighbouring properties, with the variation as a consequence of splayed boundaries".

Whilst the property would not achieve a full 1m side space for the entire flank boundaries, the property fails to achieve this in this current form. It is also noted that the existing electricity sub-station next to the site on the northern boundary does already provide a degree of separation between No.1 and the rear gardens of Silver Birches, Alderwood and The Lodge. Likewise No.2 Oldfield Road is set back and away from the shared boundary from No.1 and this also provides a degree of side space in the streetscene.

The proposed two storey rear extension will also add bulk, scale and mass to the rear of the property measuring between 2.6-4m in depth x 14m in width x 7.3m in height with a hipped roof. Whilst the additional development would increase the overall footprint of the property, especially at first floor level the proposal is considered to be a proportionate and a sympathetic addition to host dwelling. Furthermore the host dwelling is considered to blend in with the varied form of development in the close.

The materials used for the external surfaces of the extension would match the host dwelling. The proposal is considered to comply with policies 6 & 37.

Neighbouring amenity

Policy 37 of the UDP 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 existing property lies on the boundary of its plot. The additional bulk, scale and mass to the property will be to the front and rear. The main impact will be to the annex of Silver Birches and to No.2 Oldfield Close.

The property will remain in its existing plot which resides on the boundary of either boundary. The main impact will be to the front and rear. No.1 sits back in its plot to the annex to Silver Birches so it is not considered that the front development would cause an overbearing visual impact. Likewise No.2 Oldfield Rd sits further back in its plot and at a slight angle to No.1. No.1 has also been considerably extended. The side garage of No.2 sits between No.2 and the shared boundary of No.1. The two storey rear extension is also set-in from the shared boundary and overall the additional development is not considered to cause a loss of overlooking or privacy (with no windows located in either flank elevation).

The appeal Inspector, when considering the previous application on the site, noted at paragraph 8 "the relationship with the neighbouring properties to the appeal site within the streetscene as a consequence of a failure to achieve the requisite side space, would not be adversely affected in this specific regard when compared to the existing development".

Having regard to the scale and siting, of the development, it is not considered that the development to the property would not cause a significant loss of amenity to light, outlook, prospect, privacy or overlooking.

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 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 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.

- 3 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.

- 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** While the development hereby permitted is being carried out a suitable hardstanding shall be provided with wash-down facilities for cleaning the wheels of vehicles and any accidental accumulation of mud of the highway caused by such vehicles shall be removed without delay and in no circumstances be left behind at the end of the working day.

Reason: In the interest of pedestrian and vehicular safety and in order to comply with Policy 32 Bromley Local Plan.

- 6** Prior to the commencement of the development hereby approved (including demolition and all preparatory work) provision shall be made to accommodate operatives and construction vehicles off-loading, parking and turning within the site in accordance with details to be submitted to and approved in writing by the Local Planning Authority and such provision shall remain available for such uses to the satisfaction of the Local Planning Authority throughout the course of development.

Reason: Required prior to commencement of development to ensure sufficient measures can be secured throughout the whole build programme in the interests of pedestrian and vehicular safety and the amenities of the area and to accord with Policies 30 and 32 of the Bromley Local Plan