

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

Application No : 19/00903/FULL1

Ward:
Plaistow And Sundridge

Address : 36 Garden Road, Bromley BR1 3LX

Objections: No

OS Grid Ref: E: 540993 N: 170574

Applicant : Mr Adrian Stevens

Description of Development:

The construction of a part one/two storey rear extension, first floor side extension, roof alterations including rear dormer, elevational alterations and extension of raised patio at rear.

Key designations:

Biggin Hill Safeguarding Area
London City Airport Safeguarding
Smoke Control SCA 7

Proposal

The application seeks consent for the construction of a part one/storey rear extension, first floor side extension, roof alterations including rear dormer and elevational alterations with raised patio at the rear.

The application has been amended to incorporate a 1m side space between the flank wall of the side addition and garage to the side boundary.

Location and Key Constraints

The application relates to a two storey detached residential dwelling, which is located on the south east side of Garden Road. The property has a single storey garage structure to the side of the property and a generous rear garden. There is off-street parking to the front and the area is residential in character.

Comments from Local Residents and Groups

Nearby owners/occupiers were notified of the application and no representations were 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.

According to paragraph 216 of the NPPF decision takers can also give weight to relevant policies in emerging plans according to:

- The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- 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
- The degree of consistency of the relevant policies in the emerging plan to the policies.

The Bromley Local Plan was adopted in January 2019.

The development plan for Bromley comprises the Bromley Local Plan (2019) & the London Plan (March 2016).

The application falls to be determined in accordance with the following policies:

London Plan Policies

Policy 7.4 Local character
Policy 7.6 Architecture

Bromley Local Plan

Policy 6 Residential Extensions
Policy 8 Side Space
Policy 37 General Design of Development

Supplementary Planning Guidance

SPG1 - General Design Principles
SPG2 - Residential Design Guidance

Planning History

No relevant planning history

Considerations

The main planning considerations relates to the design and scale of the proposed works in relation to house and conservation area, together with any impact on neighbouring residential amenities.

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 & 37 of the BLP and the Council's Supplementary design guidance seek to ensure that new development, including residential extensions are of a high quality design that respects the scale and appearance of host dwelling, neighbouring development and surrounding areas.

Garden Road is residential in character and comprises many large detached properties which are set within generous sized plots. All of the properties vary in terms of design and architectural treatment. The proposed side extension would be to the northern flank of the building. It would have a width of 4.5m and this is less than half the width of the property. It would also retain a pitched roof and it set back from a central forward projection thereby creating a degree of symmetry and overall it would be subservient in appearance. The extension would span almost the full depth of the dwelling, apart from the set back from the front elevation. It would be set partly above an existing garage element, which has been amended to be set-back from the side boundary at ground floor level by 1m and this is carried through up to first floor level. The proposal therefore complies with Policy 8 of the BLP which requires the retention of a 1m side space for the full height of the side extension. The scale of the building in its extended form would not be too dissimilar to other properties within the street. There is a further separation between this shared boundary and the neighbouring flank wall. Therefore it is not considered that the proposal would result in material harm to the spatial characteristics of the streetscene. Matching materials could be secured by way of a suitable condition.

The proposal also includes a part one/two storey extension to the rear of the building. The proposed extensions would have a depth of 4.5m. As noted above, there are many examples of large detached properties within the road and the scale of this extension, together with the overall scale of the property in general would not be out of character with wider development. The plot is able to accommodate such an extension and ample amenity space would be retained to the rear. The rear elements would not overwhelm the original dwelling and they would not result in material harm to the character or appearance of the host property. Similar to above, a condition be imposed to ensure the use of matching materials. The proposed extensions would therefore be an acceptable form of development which would not result in material harm to the character and appearance of the dwelling and area in general.

There is already a raised terrace situated to the rear of the property. Due to the location of the extensions the proposed terrace would be moved further into the rear garden. However it is not so high so as to appear out of keeping within this locality.

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.

Number 38 is located to the north east of the site. This property is detached and is located at a slightly lower ground level. There is a small rear addition to the rear and above this is a raised external terrace. The existing garage already extends up to the boundary line but this would now be set back by around 1.2m and this is carried through to the first floor side addition, which has a similar depth to the existing property.

The proposed two storey rear extension would not span the full width of the property and would be set away from the shared boundary with Number 38 by around 7.3m. This degree of separation would prevent the development being unacceptably overbearing or intrusive. Similarly, the degree of setback would ensure that there was no material loss of light or overshadowing. The proposed ground floor element would extend up towards this shared boundary line, but there would still be a 1.2m separation to the boundary. The differences in ground level would mean the development was more prominent from the neighbouring garden, however the setback does mitigate this to a degree and the generous size of the plot would ensure the development was not materially overbearing and a sufficient sense of openness would be retained.

The proposed two storey element would sit adjacent to Number 34 Garden Road. This property is located to the south west of the site and benefits from a ground floor rear projection. This property is also set at a higher ground level. The proposed rear addition would measure 4.5m in depth but the neighbouring rear projection and orientation of the site would help mitigate any significant visual harm by way of lost outlook, overbearing impact and overshadowing.

In terms of privacy windows are proposed within the side elevation of the building, roof slope and extension. However, these will either serve non-habitable rooms or are secondary windows. Therefore they can be conditioned to be obscure glazed and non-opening below 1.7m.

The dormer would be set well away from adjoining properties and it is not considered that its size or position would result in harm to neighbouring amenities. There is already an established degree of overlooking towards the rear and whilst this dormer window is elevated it is not considered that it would result in a loss of privacy or overlooking which is materially worse than the established arrangement.

A raised terrace is proposed at the rear. There is currently an existing terrace on the property but the new example would be set deeper into the garden but it is set back from the boundary and there is already an established degree of overlooking between neighbouring gardens, particularly due to the changes in ground level. It also noted that number 38 has a raised outdoor terrace at first floor level to the rear. No objections have been raised from neighbouring properties. Therefore on balance this element is considered to be acceptable.

CIL

The Mayor of London's CIL is a material consideration. CIL is likely 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 as it will respect the character and appearance of the host building and area in general. There would also be no harm to neighbouring residential amenities.

as amended by documents received on 06.06.2019

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 the development hereby permitted is first occupied the proposed window(s) in the flank elevations and side facing roof slopes 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 in accordance as such.

Reason: In the interests of the amenities of nearby residential properties and to accord with Policies 6 and 37 of the Bromley Local Plan.