

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

Application No : 19/01780/FULL6

Ward:
Plaiستow And Sundridge

Address : 128B College Road Bromley BR1 3PF

Objections: Yes

OS Grid Ref: E: 540336 N: 170224

Applicant : Mrs Sally Phelps

Description of Development:

Single storey side infill extension and first floor extension to create two storey dwelling.

Key designations:

Biggin Hill Safeguarding Area
London City Airport Safeguarding
Open Space Deficiency
Smoke Control SCA 5

Proposal

The application is a resubmission for a following refusal of planning permission. This scheme seeks permission for the construction of a single storey side infill extension and first floor extension to create a two-storey dwelling.

Location and Key Constraints

The application relates to a single storey bungalow type property, which is located on the south east side of College Road. The properties roof is partly pitched and partly flat. It is of red brick construction with dark wooden panelling. An integral garage projects forward of the main building. There is off street parking to the front which is accessed by a dropped kerb. The southern side of College Road is made up of modern dwellings, including detached single properties and flatted buildings. These are both single storey and two-storey in height. The northern side of the road is more traditional in character, with typical Victorian style properties.

Comments from Local Residents and Groups

Nearby owners/occupiers were notified of the application and the representations were received:

- Comments made refer to previous objections relating to refused scheme. The new plans make little difference.
- Whatever second storey extension is proposed there will be a serious detriment to the amenities of 130 College Road, especially to light.

- Obvious that 128B College Road was originally granted consent as a single storey dwelling because it could never be granted planning consent for two storeys. The existing roof design must have also been required to slope down towards the southerly elevation to ensure light to the southerly elevation windows of Number 130 was not obliterated.
- The current application and previous application appear to be an attempt to overturn the planning consent given for the construction of Number 128B when originally built. 130 predated 128B by many years
- The light to the three windows on the south elevation of Number 130 will be reduced by a substantial factor.
- It is my understanding that the freeholder of Number 130 did not object to the previous application because a) of a mistaken understanding of the effect of a refusal for Number 128B on Number 130; and, b) a mistaken understanding of the serious detriment to the amenities of his own property.
- Object as the plot is the former garden of Number 33 Cambridge Road and was sold on the basis of a single storey dwelling being built as covered by the deeds. This provided the assurance that a two storey property could not be built behind and obstruct light, privacy and outlook of 33 Cambridge Road.
- The bungalow in our former garden was no problem as there is no impact on light or privacy. A two storey dwelling will have a significant detrimental impact on light, outlook and privacy.
- Overlooking into bedrooms and bathroom of rear property
- Loss of light to rear ground floor rooms
- Loss of outlook
- The style and extension to create a two storey dwelling is out of keeping with the neighbouring properties on College Road.

Consultee comments

Highways: I would have no objection to the application as the garage is not being altered and there is space within the site curtilage to park cars.

Please include the following with any permission:

Standard Conditions
OC03 Satisfactory parking

TfL - I note there is a bus stop on the opposite side of College Road close to the site of the proposal. The development does not propose any change in the access arrangement to the property. Therefore I can confirm that TfL has no comments to make on this planning application.

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) & the London Plan (March 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

18/05326/FULL6 - First floor extension to create two storey dwelling and internal alterations. Refused for the following reasons:

1. The proposed extension as a result of its scale, form, design and forward projection, together with the failure to provide necessary side space would result in a bulky, obtrusive and incongruous form of development harmful to the character and appearance of the dwelling and streetscene in general contrary to Policies 6, 8 & 37 of the Bromley Local Plan (2019); Policy 7.4 of the London Plan and Supplementary Planning Guidance Numbers 1.

2. The proposed extension by reason of its forward projection, location, fenestration arrangement and height would result in a dominant form of development, harmful to the residential amenities of Number 130 College Road by way of lost outlook, loss of privacy, visual dominance and overshadowing contrary to Policy 37 of the Bromley Local Plan (2019) and Supplementary Planning Guidance Numbers 1 & 2.

Considerations

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

- Design
- Neighbouring amenity
- Highways
- CIL

Consideration should also be given to the previous reasons for refusal.

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.

Policy 6 of the Bromley Local Plan (2019) states that 'The scale, form and materials should respect or complement those of the host dwelling and be compatible with development in the surrounding area', it goes on to state that

'Space or gaps between buildings should be respected or maintained where these contribute to the character of the area.'

Policy 8 of the BLP normally requires extensions of two or more storeys in height to be a minimum of 1m from the side boundary of the site for the full height and length of the building.

The application site is located on the south east side of College Road. This side of the road comprises a mix of dwelling styles, which are of various ages of construction. The immediate neighbours are however generally of 1980s build, and are modern in appearance. Whilst the site and the neighbouring units are not entirely uniform, they are considered to be relatively harmonious in appearance and all exhibit some form of pitched roof. The external facing materials include brick, render and hanging tiled. These properties are also set back from the highway behind an area of off-street parking. The opposite side of the road comprises mainly Victorian housing stock and has a uniform appearance and clear pattern of development. There are examples of single dwellings, sub-divided flatted properties and a number of commercial uses.

The existing property is a single storey bungalow which includes a part pitched/part flat roof with a forward projecting garage that extends up to the side boundary. It forms one of two bungalows on this side of the road. Both are somewhat incongruous amongst the larger scale development adjacent. However, as noted above this side of does have a degree of variety in terms of dwelling styles. The creation of an additional two storey dwelling adjacent to the bungalow is not considered to be any more incongruous than the existing arrangement.

The proposed first floor extension would virtually mimic the dwelling's existing footprint. However, it has been amended from the previous refusal to no longer extend over the forward projecting garage, thereby retaining a similar building line to its neighbours. It would therefore appear less prominent and incongruous within the streetscene. Additionally, it has also now been set back from the southern boundary and retains at least a 1m side space at first floor level. However, in relation to Policy 8 the extension would be set above an existing garage/utility which extends up to the southern boundary and therefore fails to comply with the technical requires of this policy. Notwithstanding this lack of setback at ground floor level, the proposal would be of a similar height to other two storey properties within the streetscene and due to the lower bungalow adjoining the site, 1m side space at first floor level and adjoining access road it is not considered the scheme would harm the spatial qualities of the streetscene.

The scheme also been amended to incorporate a part pitched/part flat roof in the form of a crown design rather than the stark flat roof as previously proposed. The above factors have lessened the overall scale and bulk of the addition in the context of the original property and wider development. Finally, the fully rendered treatment of the upper floor has made way for a tile hung exterior. The amendments to the scale, design and material pallet are now considered to be more in keeping with the scale, layout and appearance of wider development.

Neighbouring amenity

In relation to neighbouring amenity the main impact would be on the adjoining neighbouring properties.

The application property is located on the south east side of College Road. The neighbouring properties to the south are separated from the development by an access drive which leads to a garage block to the rear of 128-128A College Road. The northern elevation of Number 128A faces the development site but there are no windows within this elevation which could be impacted by the development. The additional height and depth of the proposed first floor addition would result in a far bulkier and more prominent form of development, however the revised scheme no longer extends up to the southern boundary and the setback by at least 1m at first floor level contributes to the visual relief. Given the relationship between the dwellings, access road and orientation it is not considered that there would likely be a significant loss of amenity for these neighbours in terms of overshadowing, loss outlook or a general sense of enclosure.

The residential dwelling to the north of the site is 130 College Road. It is noted that the refused application did include a representation from this property which was in general support of the scheme. However no such representation appears to have been made in relation to this proposal.

Number 130 is also a bungalow and has a similar depth to the host property but is marginally shallower. Its garden is also not as deep as the application site and there are three windows within the side elevation facing the development site. The windows within the side elevation facing the development are situated close to the shared boundary fence and already experience a degree of visual incursion and overshadowing from the existing built form of the host property. At present the eaves of the existing roof sit close to the shared boundary and these would be removed under the proposal. The added height would result in some additional visual incursion on the neighbouring flank windows, particularly due to their orientation, however at the time of the previous scheme the visual impact on this neighbour was considered to be on balance acceptable due to the existing arrangement of the eaves and representation received from the neighbour. In this instance the overall depth of the first floor projection has been made significantly less deep as it no longer includes the forward projection over the garage. Whilst the built form would be taller the set back from the boundary is marginally greater due to the loss of the eaves. The reduction in the depth also lessens the overall bulk of the built form. Objections were previously raised about the impact of this forward projection on the visual amenities of Number 130; however this has now been removed from the scheme. Whilst the added height of the extension would have some impact on the visual amenities of Number 130 this is considered to be on balance acceptable.

No windows are proposed within the side elevations at upper floor level and as such no loss of privacy or overlooking is anticipated.

There are also properties to the rear of the site. The proposed development would result in greater opportunities for overlooking due to the elevated nature of the new rear facing windows, however these would serve bedrooms and the back to back

separation between these windows and the rear elevation of the building to the rear would be around 31m. The garden at the application site is approximately 16m in depth and there is a similar arrangement at Number 33 Cambridge Road. There are other examples of two storey properties which have similar back to back separations along Cambridge Road and College Road and the proposal arrangement is not too dissimilar to the wider pattern of development. There are also a number of trees along the side/rear boundary which helps provide screening. However, the degree of separation, nature of the upper level windows and wider pattern of development is such that whilst there may be greater perceptions of overlooking for neighbouring properties the impact is considered to be on balance acceptable.

Additionally, due to the separation distances outlined above, orientation of the site and garden arrangement is not considered that the development would result in a loss of outlook, overshadowing or material loss of light or overshadowing to the property at the rear.

Highways

The property benefits from existing off street parking in the form of a front drive and garage. The proposal would include the retention of the existing garage and parking area to the front. The extension would be for the existing residential unit and no objections have been raised from a highway perspective.

CIL

The Mayor of London's CIL is a material consideration. The proposed extension would create approximately 120sqm of additional floor space. CIL is therefore payable on this application.

Other matters

Neighbours have raised the issue of restrictive covenants which prevent the extension of the property up to first floor level. However this is a legal matter between interested parties and goes beyond the scope of this assessment.

Conclusion

Having had regard to the above it is considered that the development in the manner proposed has satisfactorily addressed previous objections and is now considered to be acceptable in design terms and would on balance have an acceptable on neighbouring residential amenities.

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 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.

- 4 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.

You are further informed that :

- 0 You are advised that this application may be liable for the payment of the Mayoral Community Infrastructure Levy under the Community Infrastructure Levy Regulations (2010) and the Planning Act 2008. The London Borough of Bromley is the Collecting Authority for the Mayor and this Levy is payable on the commencement of development (defined in Part 2, para 7 of the Community Infrastructure Levy Regulations (2010)). It is the responsibility of the owner and /or person(s) who have a material interest in the relevant land to pay the Levy (defined under Part 2, para 4(2) of the Community Infrastructure Levy Regulations (2010)). If you fail to follow the payment procedure, the collecting authority may impose surcharges on this liability, take enforcement action, serve a stop notice to prohibit further development on the site and/or take action to recover the debt. Further information about Community Infrastructure Levy can be found on attached information note and the Bromley website www.bromley.gov.uk/CIL**