

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

Application No : 19/02099/FULL6

Ward:
Chelsfield And Pratts
Bottom

Address : 6 Stephen Close Orpington BR6 9TZ

Objections: Yes

OS Grid Ref: E: 545543 N: 165170

Applicant : Mr Davis

Description of Development:

Two storey rear extension and side elevational alterations (Retrospective Application)

Key designations:

Biggin Hill Safeguarding Area
London City Airport Safeguarding
Open Space Deficiency
Smoke Control SCA 14

Proposal

The application seeks retrospective planning permission for a two storey rear extension. The extension measures approximately 3.0m in depth, 7.2m in width and 7.1m in height at its maximum, pitching down to 5.1m.

Location and Key Constraints

The application relates to a two storey detached dwellinghouse located on the north-eastern end of Stephen Close, Orpington. 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 representations were received which can be summarised as follows:

- The close proximity creates a lack of privacy to our property, overlooking and affecting the rear bedroom and all rear living area.
- The extension creates a concern of overlooking and a perception of overlooking to habitable rooms.
- The extension incorporates larger windows which causes problem regarding overlooking.
- The extension being in a 20ft proximity to our property, and elevated on slightly higher ground, creates a distinct feeling of being hemmed in.

- The extension dominates our view and feels overbearing and intimidating.
- A third of my garden is now overshadowed by the extension which significantly blocks sunlight in the afternoon.
- The extension affects our outlook and blocks light from the rear bedroom.
- The 20ft between our two properties has created a feeling of being hemmed in and overcrowding which feels uncomfortable and intimidating.
- The extension is unsympathetic to the neighbouring property with a lack of provision of adequate space between buildings.
- There is a lack of natural light and sunlight to our outside living space owing to inadequate space between the two buildings.
- The dominance of the extension has affected the overall feel to neighbouring properties creating a feeling of overbearing and being hemmed in.

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

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

74/2895 - Housing development at a density not exceeding 70 persons to the acre, with garages, car parking spaces and access road (Outline) - Allowed on Appeal.

77/486 - Residential development at a density not exceeding 70 persons to the acre (Details) - Application Permitted.

Application reference 77/486 contained a condition which removed permitted development rights.

Considerations

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

- o Design
- o Neighbouring amenity
- o 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 two storey rear extension retains a minimum separation distance of approximately 15.5m from its rearmost wall to the rear boundary of the site and a minimum distance of approximately 2.4m from the shared boundaries either side. The extension is set down from the main ridge by approximately 0.2m and the roof pitches in from the sides and rear which works to reduce its overall bulk. The depth and height of the extension, while not insignificant, is considered subservient to the main dwelling and does not result in an overdevelopment of the site. Taking this into account, along with the developments size, scale and bulk, it is considered that any impact the proposed may have had on the appearance of the host dwelling would not be adverse enough to warrant a refusal of the application. The proposed materials match those of the host property and are considered to be complementary and compatible with the application site and developments in the surrounding area. The extension is partly visible from Stapleton Road, however taking into account the above it is considered that the development does 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, on balance, the extension complements the host property and does not result in a detrimental impact upon the spatial standards and visual amenity of the 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 extension projects along the shared boundary with No.5 retaining a separation distance of approximately 2.7m. The proposed development projects past the rearmost wall of this neighbouring property by approximately 2.5m. Taking into account the height, depth and positioning of the extension, and the separation distance between the dwellings, it is considered that any impact the proposed may have on the amenity of this neighbouring property would not be adverse enough to warrant a refusal of the application.

Ambrose Close sits to the north-east of Stephen Close with the rear garden of No.4 positioned adjacent to that of the host dwelling. As a result of their positioning the proposed extension is visible from the rear garden and rear rooms of No.4. The extension retains a minimum separation distance of approximately 8.5m from its rearmost wall to the rear wall of No.4 and sits approximately 2.4m from the shared boundary. While there is a visual impact on No.4 as a result of the extension it is not considered that the development adversely impacts on the residential amenity of this neighbouring dwelling when the separation distance, orientation of the site, and positioning of the extension, are taken into account. The development will provide two bedrooms at first floor which will benefit from two rear facing windows. While the depth of the extension brings the rear wall of No.6 closer to that of No.4

Ambrose Close there is still a relatively significant separation between the properties and it is not considered that there is an increased loss of privacy to No.4. In addition, the view from the first floor rear windows of No.6 is considered to be less severe in terms of overlooking because of the depth of the extension, location of the windows and positioning of the dwellings. It is therefore considered that, on balance, the level of overlooking caused by the development would not be adverse enough to warrant a refusal of the application.

Having regard to the scale, siting and separation distance of the development, it is considered that, on balance, a significant loss of amenity with particular regard to light, outlook, privacy and prospect would not 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, on balance, acceptable in that it does 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 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.

- 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.