

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

Application No : 19/02030/FULL1

Ward:
Plaistow And Sundridge

Address : 73 Hillcrest Road Bromley BR1 4SA

Objections: No

OS Grid Ref: E: 540223 N: 171587

Applicant : Mr Marcus Rutherford

Description of Development:

Two storey side extension and conversion to form separate 3 bedroom residential dwelling.

Key designations:

Smoke Control SCA 7

Proposal

The application seeks permission for the erection of a two storey side extension and conversion to form separate 3 bedroom residential dwelling.

The two storey side extension would have a maximum width of 5.3m and depth of 9.1m. The property is located on a triangular shaped plot and as such the extension is set back from the front elevation by approx. 1.8m and increases in width from 3.7m to 5.3m at the rear of the site to follow the boundary. The extension will project 3.5m beyond the original rear elevation (1.2m beyond the existing single storey rear extension). Works are currently in progress to erect a similar extension approved under a previous permission under ref: 17/01802/FULL6.

The current application also seeks permission to convert the extension to form a separate 3 bedroom.

Location and Key Constraints

The application site hosts a two storey end of terrace property located on Hillcrest Road. The site is not located within a Conservation Area, nor is it Listed.

Comments from Local Residents and Groups

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

Comments from Consultees

Drainage Officer: No comment.

Highways: The site is located in an area with PTAL rate of 1b on a scale of 0 - 6b, where 6b is the most accessible. The proposal will result in loss of a garage.

The frontage of the site is dropped therefore cars can park on the front forecourt area. However the submitted plan shows only a parking space, which is unacceptable. The access and parking arrangement plan must be indicated on a plan. The applicant should also demonstrate that cars can manoeuvre in & out parking spaces in a safe and convenient manner. Three car parking spaces should be provided and two secure cycle parking for the new property.

The applicant is required to address the above prior to the planning consent.

A proposed block plan was received on the 29th August to indicate three car parking spaces and cycle parking. Following this, Highways Officers confirmed that this was sufficient.

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 Bromley Local Plan (2019) and the London Plan (March 2016).

London Plan Policies

- 3.3 Increasing Housing Supply
- 3.4 Optimising Housing Potential
- 3.5 Quality and Design of Housing Developments
- 5.3 Sustainable Design and Construction
- 5.13 Sustainable Drainage
- 6.13 Parking
- 7.2 An Inclusive Environment
- 7.4 Local Character
- 7.6 Architecture

Bromley Local Plan

- 1 Housing Supply
- 4 Housing Design
- 6 Residential Extensions

8 Side Space
30 Parking
32 Road Safety
34 Highway Infrastructure Provision
37 General Design of Development

Supplementary Planning Guidance

SPG1 General Design Principles
SPG2 Residential Design Guidance
Mayor of London's Housing Supplementary Planning Guidance 2016

Planning History

The relevant planning history relating to the application site is summarised as follows;

- 16/05424/FULL6 - Demolition of existing garage to side and erection of two storey side and rear extension with accommodation within the roofspace - Refused
- 17/01802/FULL6 - Demolition of existing garage to side and erection of two storey side and rear extension - Permitted

Considerations

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

- Resubmission
- Principle
- Design
- Standard of residential accommodation
- Highways
- Neighbouring amenity
- Sustainability
- CIL

Resubmission

The application follows the permission for a two storey side and rear extension under ref: 17/01802/FULL6 which is currently under construction.

The current application seeks to convert the two storey extension to form a separate 3 bedroom dwelling.

The footprint of the proposed extension would remain the same as that previously approved, though alterations are proposed to the roof of the extension to provide a bedroom within the loft. The previously approved flat roof section to the rear of the extension would be altered to provide a gabled roof section, and the lower hipped roof to the side element of the extension would be increased in height to match the ridge height of the main roof.

Principle

The NPPF (2019) sets out in paragraph 11 a presumption in favour of sustainable development. In terms of decision-making, the document states that where a development accords with an up to date local plan, applications should be approved without delay. Where a plan is out of date, permission should be granted unless the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

Housing is a priority use for all London Boroughs. Policy 3.3 Increasing housing supply, Policy 3.4 Optimising housing potential and Policy 3.8 Housing choice in the London Plan generally encourage the provision of redevelopment in previously developed residential areas provided that it is designed to complement the character of surrounding developments, the design and layout make suitable residential accommodation, and it provides for garden and amenity space.

It is noted that in previous applications concern have been raised over the potential severance of the extension to form a separate dwelling, which could result in a substandard accommodation with inadequate privacy, access provision or parking for the future occupiers, and a condition to ensure that the extension was not severed was included with the previous permission (17/01802/FULL6).

However, it is noted that there are examples of similar extensions and conversion within the area, including at No.65A which was converted to form a separate residential unit following extensions to No.65 (Extensions originally approved under ref: 06/00482/FULL6, and extensions with conversion later allowed under appeal ref: APP/G5180/A/07/2045988 following application ref: 07/00705/FULL1).

Given this, it is considered that subject to an appropriate level of residential amenity, standard of accommodation and parking for the future occupiers it is considered that the conversion of the extension to form a separate dwelling would be acceptable.

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 (2018) 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 (2018) 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 current application would include the enlargement of the roof, so that the hipped roof to the front would continue for the full width of the extension whilst a rear gabled roof would replace the flat roof to the rear of the extension. This would increase the bulk of the extension somewhat, resulting in the extension appearing less subservient to the host dwelling. However, the roof alterations would retain a hipped roof design to its front which is considered in keeping with the area and the resulting development would appear as a separate dwelling rather than as a subservient extension. On balance, it is not considered that the alterations to the roof would result in an unacceptable level of impact to the appearance of the host building and the proposed dwelling would not appear out of character with the area in general.

Side Space

Policy 8 normally requires proposals of two or more storeys in height to provide a minimum 1 metre space from the side boundary of the site for the full height and length of the flank wall of the building.

Whilst the extension would be set back and staggered, it would abut the boundary at separate points and would not provide a minimum side space of 1m for the full length of the flank wall. However, given the property is separated from the boundary of the adjacent site at No.71 by an access road with a width of approximately 3m the extension would not result in unrelated terracing.

The footprint of the proposed extension would be similar to that previously approved under ref: 17/01802/FULL6 at plans sub-committee on the 20th July 2017, for which works have already commenced. The roof alterations proposed would not result in any additional harm to the spatial standards of the area, and as such it is considered that the proposal does not conflict with the reason for the side space policy.

It is also noted that a similar application was granted approval under ref: 06/00482/FULL6 at No.65 for a first floor side extension adjacent to the boundary of an access road, and therefore the principle of this would not be out of character or harmful to the existing spatial standards of the area.

Standard of residential accommodation

In March 2015 the Government published The National Technical Housing Standards. This document prescribes internal space within new dwellings and is suitable for application across all tenures. It sets out requirements for the Gross Internal (floor) Area of new dwellings at a defined level of occupancy as well as floor areas and dimensions for key parts of the home, notably bedrooms, storage and floor to ceiling height. The Gross Internal Areas in this standard will not be adequate for wheelchair housing (Category 3 homes in Part M of the Building Regulations) where additional internal area is required to accommodate increased circulation and functionality to meet the needs of wheelchair households.

Policy 4 of the Bromley Local Plan sets out the requirements for new residential development to ensure a good standard of amenity. The Mayor's Housing SPG sets out guidance in respect of the standard required for all new residential accommodation to supplement London Plan policies. The standards apply to new build, conversion and change of use proposals. Part 2 of the Housing SPG deals with the quality of residential accommodation setting out standards for dwelling size, room layouts and circulation space, storage facilities, floor to ceiling heights, outlook, daylight and sunlight, external amenity space (including refuse and cycle storage facilities) as well as core and access arrangements to reflect the Government's National Technical Housing Standards.

The London Plan makes clear that ninety percent of new housing should meet Building Regulation requirement M4 (2) 'accessible and adaptable dwellings' and ten per cent of new housing should meet Building Regulation requirement M4 (3) 'wheelchair user dwellings', i.e. is designed to be wheelchair accessible, or easily adaptable for residents who are wheelchair users. The relevant category of Building Control Compliance should be secured by planning conditions.

The nationally described space standard indicates that for a 3 storey 3 bedroom 6 person dwelling, a gross internal area of 108sqm would normally be required, and 99sqm for a 3 bedroom 5 person dwelling. The GIA of the proposed dwelling would be approx. 92sqm and would therefore not meet the normal GIA required, though it is noted that the third storey would comprise only of one additional bedroom in the roofspace, which would essentially provide habitable space within the roof of a two storey dwelling. The proposed dwelling would provide a similar GIA as the existing host dwelling at No.73 and other properties within the area. Furthermore, the shape, sizes and layout of the rooms in the proposed dwelling are also considered acceptable. On balance, it is therefore considered that it would provide an adequate GIA to be in keeping with the area and that the benefit of the provision of an additional dwelling would outweigh any adverse impact of the proposed GIA.

Private amenity space is provided by way of a rear garden which is considered acceptable in principle in terms of its size in relation to the proposed dwelling. Furthermore, the subdivision of the existing garden would also retain sufficient private amenity space for the existing dwelling.

Highways

The NPPF recognises that transport policies have an important role to play in facilitating sustainable development but also in contributing to wider sustainability and health objectives. The NPPF clearly states that transport issues should be considered from the earliest stage of both plan making and when formulating development proposals and development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

The NPPF states that all developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed.

London Plan and Bromley Local Plan Policies encourage sustainable transport modes whilst recognising the need for appropriate parking provision. Car parking standards within the London Plan and Bromley Local Plan should be used as a basis for assessment.

The site is located in an area with PTAL rate of 1b on a scale of 0 - 6b, where 6b is the most accessible. The proposal will result in the loss of a garage and the subdivision of the extension to provide a separate unit of accommodation with three bedrooms.

The proposed block plan (received 29th August) indicates three combined car parking spaces for the existing and proposed dwellings, with two located to the front and one to the rear. The plan also indicates sufficient cycle parking for the new dwelling.

Following the submission of this plan, Highways Officers have raised no concerns regarding the proposal and it is therefore considered acceptable in terms of its impact on highways matters.

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 scale of the proposed extension would remain similar to that previously approved in terms of its footprint, whilst the enlargement of the roof is not considered to result in any significant additional harm to light, outlook or visual

amenities of the neighbouring properties given that its separation distance to adjacent properties and that it would not exceed the height of the existing roof.

The sub-division to form a separate unit may intensify the use of the site somewhat, though it is not considered that this would result in any unacceptable noise, disturbance or loss of privacy.

As such, it is not considered that the development would result in a detrimental impact upon the amenities of neighbouring residents.

Sustainability

The NPPF requires Local Planning Authorities to adopt proactive strategies to mitigate and adapt to climate change. London Plan and Draft Local Plan Policies advocate the need for sustainable development. All new development should address climate change and reduce carbon emissions.

Policy 5.3 Sustainable Design and Construction of the London Plan states that the highest standards of sustainable design and construction should be achieved in London to improve the environmental performance of new developments and to adapt to the effects of climate change over their lifetime. Policy 5.2 Minimising Carbon Dioxide Emissions of the London Plan states that development should make the fullest contribution to minimising carbon dioxide emissions in accordance with the hierarchy; Be Lean: use less energy; Be clean: supply energy efficiently and Be green: use renewable energy.

CIL

The Mayor of London's CIL is a material consideration. CIL is 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 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.

as amended by documents received on 29.08.2019
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 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 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order amending, revoking and re-enacting this Order) no buildings, structures, extensions, alterations, walls or fences of any kind shall be erected or made within the curtilage(s) of the dwelling(s) hereby permitted without the prior approval in writing of the Local Planning Authority.**

Reason: In the interests of protecting the character of the area and residential amenity of neighbouring properties in accordance with Policy 37 of the Bromley Local Plan