

SECTION '2' – Applications meriting special consideration

Application No : 19/03343/FULL6

Ward:
Clock House

Address : 46 Queens Road Beckenham BR3 4JL

Objections: Yes

OS Grid Ref: E: 536436 N: 169299

Applicant : Mr John Rooper

Description of Development:

Single storey rear extension and elevational alterations

Key designations:

Smoke Control SCA 15

Proposal

Planning permission is sought for single storey side rear extension with four rooflights.

The application is a resubmission for a similar proposal that was refused on 16th July 2019 under planning application ref:- 19/01671/FULL6.

Location and Key Constraints

The application relates to a two-storey semi-detached residential dwelling which is located on the western side of Queens Road, Beckenham.

Consultations

Nearby owners/occupiers were notified of the application and one letter of representation was received, which can be summarised as follows:

Despite some modifications we object to these plans for the following reasons:

- Loss of light/overshadowing - the new proposals would continue to block both the daylight in general and the sunlight from the south into the windows of our living-room, which are less than a meter away. The height of the apex in these plans is 10cm higher than in the previous plans and extends outwards by 4 meters thus blocking the sunlight from that direction (south) and so the effect on the sunlight to our property is worse than the previous plans. The wall immediately adjacent to our boundary (and therefore the living-room window) is between 18 and 13 cm lower than before (allowing for the pitched roof in the previous plans) but this is still higher than the very top of our window and so would continue to worsen the outlook from the living-room as well as impacting on its access to natural light.

- Dominance - the overall size of the extension and its proximity, especially of the blank wall, would still create a significantly detrimental, overbearing and enclosing effect to the rear of our property.

Comments from Consultees

None.

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 24 July 2018 and updated on 19 February 2019.

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

Policy 6 Residential Extensions

Policy 37 General Design of Development

Supplementary Planning Guidance

Supplementary Planning Guidance 1 - General Design Principles

Supplementary Planning Guidance 2 - Residential Design Guidance

Planning History

Under planning application ref:- 19/01671/FULL6 planning permission was refused for the following reason:-

The proposed rear extension by reason of its depth, height and proximity to the boundary would cause a significantly detrimental impact on the outlook and amenity of the adjoining occupiers of number 44 Queens Road, contrary to Policies 6 and 37 of the Bromley Local Plan.

Considerations

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

- Resubmission
- Design
- Neighbouring amenity
- CIL

Resubmission

Under planning application ref:- 19/01671/FULL6 planning permission was refused for the following reason:-

The proposed rear extension by reason of its depth, height and proximity to the boundary would cause a significantly detrimental impact on the outlook and amenity of the adjoining occupiers of number 44 Queens Road, contrary to Policies 6 and 37 of the Bromley Local Plan.

The applicant has reduced the depth, height and design of the single storey rear extension. Previously the extension measures 4.5m in depth x 3.7m (maximum height) and 2.4m (eaves height). The rear extension had a mono-pitched sloping roof with a 17 degree pitch.

The extension now measures 4m in depth x 3.9m (maximum height) and 2.6m (eaves height). The rear extension now has a central pitched roof.

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

London Plan Policy 7.4 requires developments to have regard to the form, function, and structure of an area. Policy 37 of the Bromley Local Plan states that all development proposals, including extensions to existing buildings, will be expected to be of a high standard of design and layout. Policy 6 of the Bromley Local Plan requires that the design and layout of proposals for the alteration or enlargement of residential properties will be required to comply with the following: (a) the scale, form and materials of construction should respect or complement those of the host dwelling and be compatible with development in the surrounding area and (b) space or gaps between buildings should be respected or maintained where these contribute to the character of the area.

The Council will normally expect the design of residential extensions to blend with the style and materials of the main building. Where possible, the extension should incorporate a pitched roof and include a sympathetic roof design and materials.

It is considered that the proposed extensions size, scale and bulk would not significantly alter the appearance of the host dwelling. The proposed rear extension would not be visible from the highway and the proposed materials would match the host dwelling.

The proposed extension would be positioned to the rear of the host dwelling which would limit its impact on the wider visual amenities of the area, since the rear elevation of the dwelling is only fully appreciable from the neighbouring properties.

To address the previous reason for refusal the depth of the extension has been reduced from 4.5m to 4m. The eaves height has increased slightly from 2.4m to 2.6m however the roof design has been altered to a central pitch resulting in a modern and contemporary design approach which contrasts against the host building.

The siting of the extension at the rear would limit its impact on the wider visual amenities of the area, although it is noted that the rear gardens have quite an open aspect nevertheless given the modest size of the extension together with the location to the rear of the property on balance the modern design and use of materials of the development is considered to complement the character and appearance of the host dwelling and for these reasons, it is considered that the proposed development is acceptable and complies with policy on design.

Neighbouring amenity

Policy 37 of the 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.

No. 48 to the south benefits from a single storey rear extension and is separated by an existing fencing and mature vegetation; given this it is considered that the development would not have any significant impact on the neighbour's amenities in terms of loss of light, increase sense of enclosure or outlook.

With regards to the adjoining property at No. 44 to the north, this property does not benefit from any rear extensions and a low fence separates to the two properties.

It is noted that the previous application was refused because of concern about the proposed development on the neighbour at No.44.

In terms of loss of light, it should be noted that the rear extension will be 1m deeper than that allowed under permitted development. The rear of the properties are west facing with the sun being at its lowest point in the evening. Given the orientation of the rear garden it is not considered that a considerable amount of daylight and sunlight will be lost as a result of this development.

When considering increase sense of enclosure to the No. 44, the rear extension would extend to 4m in depth and a maximum 3.9m in height; which is a reduction of 0.5m over the refused scheme. Whilst the eaves height has increased from 2.4m to 2.6m the roof has been altered and now pitches in to a central pitch to reduce the dominance of the roof section of the proposal.

The applicant has confirmed that they plan to replace the current boundary fence which has fallen into disrepair. If built to a height of 2m then the rear extension would only be visible for 1.3m before pitching in at eaves height. It is therefore considered that the on balance given the depth proposed the extension together with the design; the development would not have any significant impact on the neighbour's amenities in terms of increase sense of enclosure or dominance.

On balance, taking the above into account and given the orientation of the properties, the reduction to the depth of the extension and changes to the roof design, it is considered that no significant impact in terms of loss of daylight and sunlight or result in increase sense of enclosure to the neighbouring dwellings would arise.

CIL

The Mayor of London's CIL is a material consideration. CIL is not 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, has fully addressed the previous reasons for refusal and would not result in a significant loss of amenity to local residents.

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, Town and Country Planning Act 1990.

- 2. Unless otherwise agreed in writing by the Local Planning Authority 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 interest of the visual and residential amenities of the area.