

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

Application No : 19/04719/FULL6

Ward:
Chislehurst

Address : Oakwood Lodge, Oakwood Close,
Chislehurst BR7 5DD

Objections: No

OS Grid Ref: E: 543123 N: 170538

Applicant : Mr & Mrs P. Blackman

Description of Development:

Removal of existing single storey side extension and enlargement of roof to create two storey side extension with front dormer window. Construction of side garage and two external steps

Key designations:

Conservation Area: Chislehurst
Biggin Hill Safeguarding Area
London City Airport Safeguarding
Smoke Control SCA 16

Proposal

The application seeks permission for the removal of existing single storey side extension and enlargement of roof to create a two storey side extension with front dormer window. A single storey garage would also be constructed adjoining the two storey extension, with external steps to the existing car port.

The proposed two storey side extension would have a width of approx. 5.05m and maximum depth of approx. 6m, and would replace the existing single storey element to the rear of the existing car port. The roof of the extension would feature a side gable with a height of approx. 7m and eaves of 4m from ground level.

The proposed garage would adjoin the flank wall of the two storey side extension, though would project further towards the front of the property. It would have a depth of 6.76m and width of 3.83m. It would feature a front gabled roof with a pitched element to its rear, with a maximum height of approx. 3.8m and eaves of 2.4m.

Location and Key Constraints

The application site hosts a two storey detached dwelling located on the eastern side of Oakwood Close, at the junction with Yester Road.

The site lies within the Chislehurst Conservation Area.

Comments from Local Residents and Groups

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

Comments from Consultees

APCA:

The property is highly visible from all directions in the Conservation Area. The bulk of the 2nd storey extension will "dominate and compete in visual terms with the host building" contrary to SPG 4.24.

Any alteration needs to be careful of matching materials - samples of which should be approved by Officers. (LB Policies 37,41, SPG 4.24)

Conservation Officer:

Having considered the plans and photographic evidence supplied by the case officer and with a knowledge of this site, it is clear that this historic house has been much altered.

On balance these extensions will only cause a minor level of harm as in my view they will not be widely visible and will be subservient. The current garage which will be removed has no historic significance in my view. The extensions will be to the rear of the house and will respect its proportions.

A sample panel of the brickwork should be required.

Paragraph 189 of the NPPF has been met. Paragraph 192(c) is also relevant in my view.

Highways:

Oakwood Close is a private road, therefore Bromley is not the highway authority for this road.

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.

Draft New London Plan

The 'Intend to Publish' version of draft London Plan (December 2019) is a material consideration in the determination of this planning application.

The draft new London Plan was submitted to the Secretary of State (SoS) on 9 December 2019, following the Examination in Public which took place in 2019. This is the version of the London Plan which the Mayor intends to publish, having considered the report and recommendations of the panel of Inspectors. Where recommendations have not been accepted, the Mayor has set out a statement of reasons to explain why this is.

Ahead of publication of the final plan, the SoS can direct the Mayor to make changes to the plan, and the London Assembly can veto the plan. These factors affect the weight given to the draft plan. At this stage, the Council's up-to-date Local Plan is generally considered to have primacy over the draft London Plan in planning determinations

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

London Plan Policies

- 7.4 Local character
- 7.6 Architecture
- 7.8 Heritage assets and archaeology

Bromley Local Plan

- 6 Residential Extensions
- 8 Side Space
- 30 Parking
- 37 General Design of Development
- 41 Conservation Areas

Supplementary Planning Guidance

- SPG1 - General Design Principles
- SPG2 - Residential Design Guidance

Planning History

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

- 83/02795/FUL - Attached double garage at side - Permitted

Considerations

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

- Design
- Heritage Impact
- Highways
- Neighbouring amenity

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.

The proposed two storey side extension is not considered excessive in its overall scale and bulk and would be significantly set-back from the front of the property which would mitigate its impact within the wider streetscene and ensure that it would not be an over dominant addition to the host dwelling. Its design to include the gable roof is considered in keeping with the host dwelling and the materials proposed are considered acceptable in principle - though a condition is recommended for samples to be submitted to ensure that the materials would complement the existing dwelling.

The proposed attached garage would be modest in scale and its design to include a front gable would be in keeping with the host dwelling. This single storey element would project forwards of the proposed two storey extension, though it would remain set back from the main dwelling and the adjacent car port. Given its scale and siting it is not considered that the proposed garage extension would harm the appearance of the host dwelling or general character of the area.

Having regard to the above, it is considered the design of the proposed extensions are acceptable in principle and would not harm the appearance of the host dwelling or the visual amenities of the streetscene.

Side Space

Policy 8 normally requires a minimum of 1m side space to be provided for two storey developments for the full height and length of the flank wall. A more generous side space would normally be expected in areas with higher spatial standards.

The proposed extension would have a minimum separation distance of 0.97m to the flank boundary from the front of the single storey garage, though this would increase to its rear to 1.4m to its rear. The two storey side extension part of the development would be further set back from the flank boundary and provide a minimum separation distance of 5m to the flank boundary of the site adjacent to the garage. This would reduce to a 1m separation to the flank boundary towards the rear of the site given the shape of the site and its flank boundary.

The proposed extension would have a significant separation distance of approx. 11m to the nearest property and would not result in any unrelated terracing occurring. The two storey element is set significant further from the flank boundary than the single storey element, and would also be set back from the front of the property. Having regard to this, the proposed development would not appear as a cramped form of development or result in any significant harm to the spatial standards of the Chislehurst Conservation Area.

Accordingly, in this instance, it is considered that the proposal accords with Policy 8.

Heritage Assets

The NPPF sets out in section 16 the tests for considering the impact of a development proposal upon designated and non-designated heritage assets. The test is whether the proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset and whether it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits. A range of criteria apply.

Paragraph 196/197 state where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset

Within or adjacent to a Conservation Area:

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a requirement on a local planning authority in relation to development in a Conservation Area, to pay special attention to the desirability of preserving or enhancing the character or appearance of that area.

Interpretation of the 1990 Act in law has concluded that preserving the character of the Conservation Area can not only be accomplished through positive contribution but also through development that leaves the character or appearance of the area unharmed.

The host dwelling appears to have been much altered from its original design and the existing converted garage that would be removed is not considered to have any historic significance. The proposed extensions would be set back from the front of the house, would respect its proportions and would not be widely visible given their siting. As such it is considered the extensions would appear subservient to the existing dwelling and would therefore not cause any significant level of harm from a Heritage and Urban Design view.

A condition is recommended for a sample panel of the brickwork to be submitted in order to ensure that the external finish of the proposed extensions would be in keeping with the host dwelling.

Subject to this condition it is considered that the proposed development would preserve the character and appearance of the conservation area.

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.

Oakwood Close is a private road, therefore Bromley is not the highway authority for this road. In any case, the existing car port would remain and the proposed garage would provide a further parking space within the site. As such the site would retain sufficient parking and no objections are therefore raised with regards to 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 proposed extension would be sited a minimum of 0.97m from the flank boundary of the site shared with Robin Hill, 37 Oakwood Close, though it would have a significantly higher separation of approx. 11m from the dwelling at No.37 given the siting of this property. Given this separation distance it is not considered that the extensions would result in any significant loss of light, outlook or visual amenity to this neighbour. Furthermore, there would be no windows in the first floor flank elevation facing this neighbour and the extension would therefore not provide any additional opportunities for overlooking or loss of privacy to this neighbour.

Given the scale and siting of the extensions and the separation distance to other nearby properties it is considered it would not result in any detrimental impact upon the amenities of other nearby residents.

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

Conclusion

Having had regard to the above it is considered that the development in the manner proposed is acceptable in that it would not result in a significant loss of amenity to local residents nor impact detrimentally on the character of the Conservation 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 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 (a) Prior to commencement of above ground works, details (including samples) of the materials to be used for the external surfaces of the building which shall include roof cladding, wall facing materials and**

cladding, window glass, door and window frames, decorative features, rainwater goods and paving where appropriate shall be submitted to and approved in writing by the Local Planning Authority.

(b) The development shall be carried out in accordance with the approved details.

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 interests of visual and residential amenity.