

<b>Committee Date</b>	15.10.2020	
<b>Address</b>	9 Brookmead Avenue Bickley Bromley BR1 2JX	
<b>Application Number</b>	19/05362/FULL1	<b>Officer</b> - Jacqueline Downey
<b>Ward</b>	Bickley	
<b>Proposal</b>	Demolition of garage and construction of new detached 4 person 3 bedroom two storey dwelling with parking and bin stores and retention of adjacent existing house with loft conversion incorporating pitched roof extension, side dormer and rooflights, elevational alterations and new front porch demolition of pedestrian link and subdivision of the site curtilage	
<b>Applicant</b>	<b>Agent</b>	
Ms Eriona Bajrakurtaj	Mr Andrew Macswayed	
9 Brookmead Avenue Bickley Bromley BR1 2JX	196 High Road Wood Green London N22 8HH	
<b>Reason for referral to committee</b>	<b>Councillor call in</b>	
	Call-In	Yes

<b>RECOMMENDATION</b>	Application Permitted
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<p><b>KEY DESIGNATIONS</b></p> <p>Biggin Hill Safeguarding Area London City Airport Safeguarding Smoke Control SCA 13 Smoke Control SCA 12</p>
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<b>Land use Details</b>		
	Use Class or Use description	Floor space (GIA SQM)
Existing	1 Dwellinghouse	172.1sqm
Proposed	2 Dwellinghouses	Existing dwelling – 162.8sqm Proposed dwelling - 113.5sqm

<b>Vehicle parking</b>	Existing number of spaces	Total proposed including spaces retained	Difference in spaces (+ or -)
Standard car spaces	2	4	+2
Disabled car spaces			
Cycle	0	Yes (No. not specified)	

<b>Representation summary</b>	Neighbour letters were sent 21.01.2020 with further letters sent on 21.07.2020 and 06.08.2020	
Total number of responses	38	
Number in support	0	
Number of objections	38	

## 1 SUMMARY OF KEY REASONS FOR RECOMMENDATION

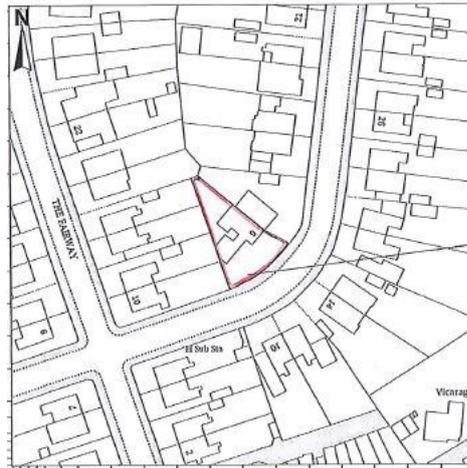
- The development would not result in a harmful impact on the character and appearance of the area
- The development would not adversely affect the amenities of neighbouring residential properties
- No unacceptable Highways impacts would arise

## 2 LOCATION

2.1 The application site forms garden land to the side of the semi-detached dwelling at No. 9 Brookmead Avenue which is situated on the north west side of Brookmead Avenue and on the corner near to the junction with The Fairway. The site abuts the

rear gardens of properties on The Fairway to the west flank. There is currently an attached garage and link porch of No. 9 on the plot.

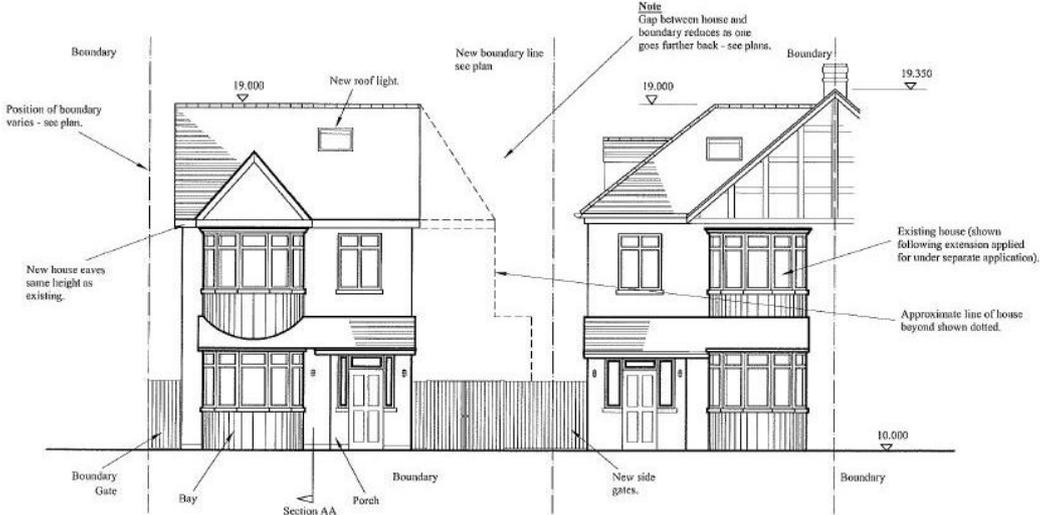
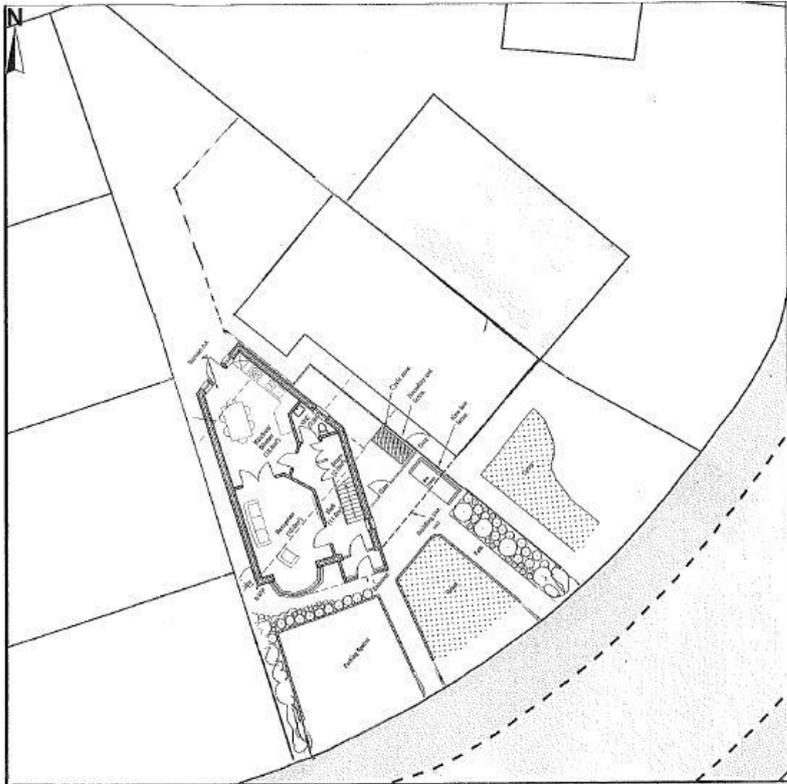
- 2.2 The area has a suburban character featuring dwellings set back from the highway on large plots with predominantly semi-detached dwellings.
- 2.3 The site is not located in a conservation area nor is the building listed.



### 3 PROPOSAL

- 3.1 Planning permission is sought for the erection of a two storey three bedroom dwellinghouse on land to the side of No. 9 Brookmead Avenue.
- 3.2 This comprises a two storey dwelling, totalling 111m<sup>2</sup> GIA. The building measures 9m in maximum height, 12m maximum depth and 6m maximum width. Two off-street parking spaces are proposed for the new dwelling and two parking spaces for the existing dwelling are also proposed. The new dwelling would utilise the existing vehicular access to the garages the dwelling would replace and a new crossover is proposed for the existing dwelling at No. 9. Garden amenity spaces are indicated for both resultant dwellings. A bin store and cycle store are also proposed.
- 3.3 Materials are indicated as part brick part render and tiled roof.
- 3.4 Additional extensions and alterations are also proposed to the existing house at No. 9 which would involve a loft conversion incorporating a pitched roof extension which would be hipped and would have a ridge height of 9m to replace the existing flat roof of the two storey side element, a side dormer with a width of 1.3m and pitched roof with a height of 1.6m and front and rear rooflights. The demolition of the side porch which links the main dwelling and garage and erection of a front porch which would have a forward projection of 1.1m, a width of 2.6m and would have a mono pitched roof with a height of 3.5m maximum. The pitched roof would span the full width of the front elevation forming a canopy. Elevational alterations are proposed including

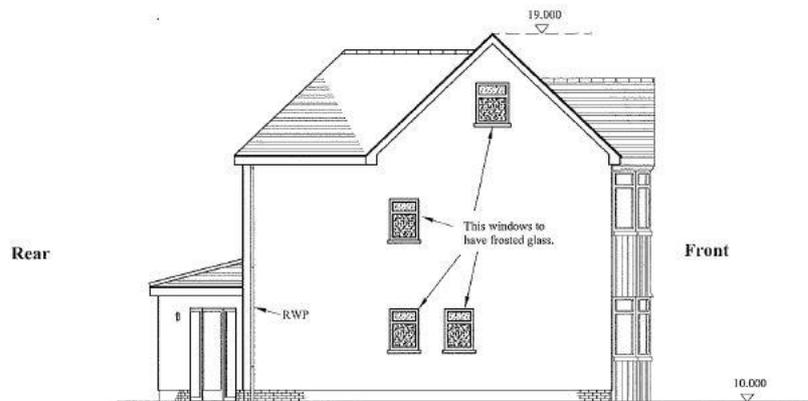
removing and infilling windows in the flank elevation and a new second floor rear window is proposed. These alterations/extensions have previously been approved under a previous permission ref. 19/04993/FULL6 and it is proposed to incorporate these into the current proposal.



**Front Elevation**



**Rear Elevation**



**Side Elevation A As Proposed**

**West side elevation facing The Fairway**

**4 RELEVANT PLANNING HISTORY**

- 4.1 87/00098/FUL - Single storey side and rear extensions first floor side extension semi-detached house – Permitted
- 4.2 19/04993/FULL6 - Loft conversion incorporating pitched roof extension, side dormer and rooflights and new front porch - Permitted

**5 CONSULTATION SUMMARY**

**A) Statutory**

Highways – No objection

- Revised plans were received 20/07/20
- Highways would be happy with that plan. The new crossover location isn't ideal on the bend, however the existing one is more of an issue so on this occasion, they would find it hard to add an objection from highways point of view.

Drainage – No objection

- No objections subject to a standard condition

### Trees – No objection

- Due to the paving over of the existing garden and the increased mass of built structures that would result if permission is to be granted, I would recommend the inclusion of a soft landscaping condition to specifically require the planting of at least one new tree of a minimum size at the front of each plot.

### **C) Adjoining Occupiers**

- **Impact on neighbouring amenity - points addressed in paragraph 7.5**
  - Impact on privacy immensely to how close it is to their border, siting and window
  - Revised plans, Still overlooks their garden
  - Are frosted windows fixed shut
  - Loss of privacy to windows and rear gardens
  - Rear windows will look directly into kitchen, daughter's bedroom and gardens
  - Loss of light an overshadowing to extent that will not get enough natural daylight
  - Have a right to light
  - Overbearing and out of scale
  - Loss of views
  - Quiet family area
  - Noise generation will increase due to more cars
- **Design, siting and scale - points addressed in paragraph 7.2**
  - House design not consistent with other properties
  - Other properties have semi-detached chalet houses with sloped roof and front doors to side
  - No properties with modern appearance or crammed into restricted space
  - Will not match a single house of this and adjoining roads
  - Spoils unique charm of this road
  - Space between existing house and planned house will appear mismatched
  - Density of the site is an overdevelopment
  - Falls under 'garden grabbing'
  - Entirely inappropriate
  - Whilst design of the house is better, the area is still not suitable for a HMO
  - Build too big for ground space
  - Not in character with the rest of the road
  - Are would be overpopulated to cram a house in
  - Garden is already very small
  - Wouldn't object to expansion of existing structure
  - The design of the front, how the house gets wider at the back disregards the character of Brookmead and adjoining roads
  - Spoils unique charm of this road

- Development is beyond building line and would set a precedent for the future
- **Highways - points addressed in paragraph 7.4**
  - Impact on parking which is already a major problem at most times of day, even though there is parking on site
  - Parking on bend is already hazardous
  - Poor lighting and visibility is bad in this road
  - Adverse to convenience of road users
  - Extra residents will generate much higher level of traffic
  - This road is a nice quiet safe road
  - Major concerns with increased traffic of lorries and vans etc
  - Their drive is used as a turning point for cars/vans/lorries resulting in my wall being knocked down twice
  - Accident stats at the council for last 4 years 10 metres each side of this proposed house will see the devastating number and this would only increase.
  - Not in interest of highways safety for house built on sharp bend
  - Pulling out of their drive opposite with builder's vans, skips etc. and more cars will lead to accidents
  - Increases parking problem
- **Security - points addressed in paragraph 7.5**
  - The low level fence and gate would allow easy access to rear of properties and fear of crime. Currently no easy access from the road
  - Security risk
  - Concerned with access path along their back garden
- **Concern for use as HMO - points addressed in paragraph 7.5**
  - Proposed bin store would hold large number of bins and therefore assume new house is planned to have multiple occupancy which supports previous objections
  - HMO potentially a risk of noise and added security concerns
- **Trees - points addressed in paragraph 7.6**
  - Would involve taking down trees at the back of the houses in the Fairway

## 6 POLICIES AND GUIDANCE

- 6.1 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.

- 6.2 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.
- 6.3 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.
- 6.4 The 'Intend to Publish' version of draft London Plan (December 2019) is a material consideration in the determination of this planning application. Paragraph 48 of the NPPF states that decision makers may give weight to relevant policies in emerging plans according to: (1) the stage of preparation of the emerging plan; (2) the extent to which there are unresolved objections to relevant policies in the emerging plan; and (3) the degree of consistency of relevant policies to the policies in the Framework.
- 6.5 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 was version of the London Plan which the Mayor intended to publish, having considered the report and recommendations of the panel of Inspectors.
- 6.6 The London Assembly considered the draft new London Plan at a plenary meeting on 6 February 2020 and did not exercise their power to veto the plan.
- 6.7 After considering the 'Intend to Publish' Plan, on 13 March 2020 the Secretary of State for Housing, Communities and Local Government wrote to the Mayor identifying directed changes to a number of policies in the draft plan. The SoS considered these changes were necessary to address concerns regarding inconsistencies with national policy. The Mayor cannot publish the New London Plan until the directed changes have been incorporated, or until alternative changes to address identified concerns have been agreed with the SoS. This could affect the weight given to the draft plan with regard to the directed policies.
- 6.8 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. However, where no modifications have been directed the draft London Plan policies are capable of having significant weight (as seen in a recent SoS call-in decision in the Royal Borough of Kensington and Chelsea). Where specific draft London Plan policies have been given particular weight in the determination of this application, this is discussed in this report.
- 6.9 The application falls to be determined in accordance with the following policies:
- 6.10 National Policy Framework 2019**
- 6.11 NPPG**
- 6.12 The London Plan**
- 3.3 Increasing Housing Supply

- 3.4 Optimising Housing Potential
- 3.5 Quality and Design of Housing Developments
- 3.8 Housing Choice
- 3.9 Mixed and Balanced Communities
- 3.10 Definition of affordable housing
- 5.1 Climate change mitigation
- 5.2 Minimising Carbon Dioxide Emissions
- 5.3 Sustainable Design and Construction
- 5.7 Renewable Energy
- 5.10 Urban Greening
- 5.11 Green Roofs and Development Site Environs
- 5.12 Flood Risk Management
- 5.13 Sustainable Drainage
- 5.14 Water quality and wastewater Infrastructure
- 5.15 Water use and supplies
- 5.16 Waste self-sufficiency
- 5.17 Waste capacity
- 5.18 Construction, excavation and demolition waste
- 5.21 Contaminated land
- 6.3 Assessing Effects of Development on Transport Capacity
- 6.5 Funding Crossrail and other strategically important transport infrastructure
- 6.9 Cycling
- 6.13 Parking
- 7.1 Lifetime Neighbourhoods
- 7.2 An Inclusive Environment
- 7.3 Designing Out Crime
- 7.4 Local Character
- 7.5 Public Realm
- 7.6 Architecture
- 7.14 Improving Air Quality
- 7.15 Reducing and Managing Noise, Improving and Enhancing the Acoustic Environment and Promoting Appropriate Soundscapes
- 8.3 Community Infrastructure Levy

### 6.13 Draft London Plan

D1 London's form and characteristics

D4 Delivering good design

D5 Inclusive design

### 6.14 Mayor Supplementary Guidance

The Mayor's Housing Supplementary Planning Guidance (March 2016)

### 6.15 Bromley Local Plan 2019

- 1 Housing Supply
- 3 Backland and Garden Land Development
- 4 Housing Design

8	Side Space
30	Parking
32	Road Safety
33	Access for All
34	Highway Infrastructure Provision
37	General design of development
77	Landscape Quality and Character
112	Planning for Sustainable Waste management
113	Waste Management in New Development
115	Reducing flood risk
116	Sustainable Urban Drainage Systems (SUDS)
117	Water and Wastewater Infrastructure Capacity
118	Contaminated Land
119	Noise Pollution
120	Air Quality
122	Light Pollution
123	Sustainable Design and Construction
124	Carbon dioxide reduction, Decentralise Energy networks and Renewable Energy

## 6.16 Bromley Supplementary Guidance

DCLG Technical Housing Standards (March 2015)  
 Supplementary Planning Guidance 1 - General Design Principles  
 Supplementary Planning Guidance 2 - Residential Design Guidance

## 7 ASSESSMENT

### 7.1 Principle of development – Acceptable

7.1.1 The current position in respect of Bromley's Five Year Housing Land Supply (FYHLS) was agreed at Development Control Committee on 24<sup>th</sup> September 2020. The current position is that the FYHLS (covering the period 2020/21 to 2024/25) is 2,690 units, or 3.31 years supply. This is acknowledged as a significant undersupply and for the purposes of assessing relevant planning applications means that the presumption in favour of sustainable development will apply.

7.1.2 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.

7.1.3 According to paragraph 11(d) of the NPPF in the absence of a 5 year Housing Land Supply the Council should regard the Development Plan Policies for the supply of housing including Policy 1 Housing Supply of the Bromley Local Plan as being 'out

of date'. In accordance with paragraph 11(d), for decision taking this means where there are no relevant development plan policies or the policies which are most important for determining the application are out-of-date, granting permission unless:

i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or

ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

7.1.4 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.

7.1.5 Policies including 3.3 of The London Plan 2016 and Policy 1 of the Bromley Local Plan have the same objectives. The London Plan's minimum target for Bromley is to deliver 641 new homes per year until 2025. The new/intended to published London Plan's minimum target for Bromley will be increased to 774 new homes a year.

7.1.6 This application includes the provision of 1 residential dwelling and would represent a minor contribution to the supply of housing within the Borough. This will be considered in the overall planning balance set out in the conclusion of this report, having regard to the presumption in favour of sustainable development.

7.1.7 As such it can be considered that the principle of the development may be acceptable if the development is able to satisfy the criteria set out in Policy 3;

a) There is no unacceptable impact upon the character, appearance and content of an area in relation to the scale, design and density of the proposed development;

b) There is no unacceptable loss of landscaping, natural habitats, or play space or amenity space;

c) There is no unacceptable impact on the residential amenity of future or existing occupiers through loss of privacy, sunlight, daylight and disturbance from additional traffic;

d) A high standard of separation and landscaping is provided.

7.1.8 The following sections will assess these issues.

## **7.2 Design – Layout, scale height and massing – Acceptable**

- 7.2.1 The site is situated within a residential location and the Council would consider new residential development provided that it is designed to complement the character of surrounding developments, the design and layout make it suitable residential accommodation and that it provides adequate outdoor amenity space. Any adverse impact on neighbouring amenity, biodiversity or open space would also be considered.
- 7.2.2 Policy 3 of the BLP (Backland and Garden Land Development) requires, amongst other aspects, that should have no unacceptable impact upon the character, appearance and context of an area and provide a high standard of separation and landscaping. Policy 8 which requires a minimum of 1m to be provided to the side boundary of the site for the full height and length of the building, and a more generous side space where higher standards of separation already exist.
- 7.2.3 Policy 4 of the Bromley Local Plan details that all new housing developments will need to achieve a high standard of design and layout whilst enhancing the quality of local places respecting local character, spatial standards, physical context and density. To summarise the Council will expect all of the following requirements to be demonstrated: The site layout, buildings and space around buildings be designed to a high quality, recognising as well as complimenting the qualities of the surrounding areas; compliance to minimum internal space standards for dwellings; provision of sufficient external, private amenity space; provision of play space, provision of parking integrated within the overall design of the development; density that has regard to the London Plan density matrix whilst respecting local character; layout giving priority to pedestrians and cyclists over vehicles; safety and security measures included in the design and layout of buildings; be accessible and adaptable dwellings.
- 7.2.4 Policy 8 of the Local Plan details that when considering applications for new residential development, including extensions, the Council will normally require for a proposal of two or more storeys in height, a minimum 1 metre space from the side boundary of the site should be retained for the full height and length of the building or where higher standards of separation already exist within residential areas, proposals will be expected to provide a more generous side space.
- 7.2.5 Policy 37 of the Bromley Local Plan details that all development proposals, including extensions to existing buildings, will be expected to be of a high standard of design and layout. To summarise developments will be expected to meet all of the following criteria where they are relevant; be imaginative and attractive to look at, of a good architectural quality and should complement the scale, proportion, form, layout and materials of adjacent buildings and areas; positively contribute to the existing street scene and/or landscape and respect important views, heritage assets, skylines, landmarks or landscape features; create attractive settings; allow for adequate daylight and sunlight to penetrate in and between buildings; respect the amenity of occupiers of neighbouring buildings and those of future occupants; be of a sustainable design and construction; accessible to all; secure; include; suitable waste and refuse facilities and respect non designated heritage assets.

- 7.2.6 The proposed dwelling would provide a separation of between 5.1m and 0.8m to the flank boundaries. Although this technically does not comply with the minimum side space requirements under policy 8 of 1m separation, the side abuts the rear gardens of the adjoining properties on the Fairway and therefore there would continue to be a significant separation between the proposed dwellings and these neighbouring properties. As for the separation to the existing property at No. 9, the property is on an angular plot and is principally positioned parallel to the western flank boundary and therefore there is a significant separation to the front at this side which would maintain a spacious appearance in the street scene, reducing to the gap of 1.2m and then 0.9m between the existing property and the proposed dwelling. The narrowest part is sited adjacent to a single storey side extension of the existing dwelling on the site, and a 2m separation would therefore be maintained between the proposed dwelling and the two storey aspects of the existing property which would comply with the aims of Policy 8 of maintaining a gap between first floor development.
- 7.2.7 The layout of the proposed plot of the new dwelling would be relatively awkward in its layout with the dwelling having an irregular footprint and the garden comprising of a narrow area to the rear of the property, widening to a garden area to the rear of the site. Nevertheless, the overall size of the garden would comply with the London Plan standards of a minimum of 7-8sqm having regards to the possible number of occupiers and it would provide a patio area immediately to the rear of the dwelling with a garden area further back which would indicate that the site is not overdeveloped.
- 7.2.8 Therefore, it is not considered that the proposal would appear cramped in the street scene and it would not be harmfully out of character with the plot sizes and pattern of the development in the local area.
- 7.2.9 With regards to the design of the proposed dwelling itself, Policy 4 requires new developments to compliment the qualities of surrounding areas. The properties within Brookmead Avenue are fairly uniform in their appearance, with the area predominately characterised by two storey semi-detached dwellings with gable frontages incorporating cat slide roofs, albeit some of the dwellings have been extended to the side, losing some of the cat slide roof features including the existing dwelling at No.9 which has a flat roof first floor extension replacing the catslide element. The proposed dwelling would incorporate a front bay window with a gable roof which would reflect the character of the existing property and surrounding dwellings and it would have a high quality appearance with its architectural features and use of materials. The proposed dwelling would have a flank gables roof design which is not typical of the road as most properties have a front facing gable feature. However, given that the property is of a different type, being detached, and has included element which reflect the local character as stated previously in this report, it is considered that the proposed dwelling would not appear harmfully out of character with the area or impact detrimentally on the visual amenities of the streetscene.
- 7.2.10 In terms of the extension and roof and elevational alterations to the existing property, there have previously been approved under planning permission ref.

19/04993/FULL6 and therefore have already been considered acceptable in principle. It is not considered that the proposed dwelling would result in any changes which would render these extensions and alterations unacceptable.

7.2.11 In summary, it is considered that the proposed dwelling and extensions/alterations to the existing dwelling would be in-keeping with the character of the local area and would not result in a significantly harmful impact on the local spatial standards or visual amenities of the area.

### **7.3 Standard of residential accommodation - Acceptable**

7.3.1 The floor space size of the house is approximately 113.5m<sup>2</sup> (or 100.5m<sup>2</sup> excluding the floorspace in the loft which is below head-height). The nationally described space standard requires a Gross Internal Area of 99m<sup>2</sup> for a three bedroom 5 person dwelling house on three levels. On this basis the floorspace provision would meet the minimum standards and is considered acceptable.

7.3.2 The shape, room size and layout of the rooms in the proposed building is considered satisfactory. None of the rooms would have a particularly convoluted layout which would limit their use. All habitable rooms are considered to have satisfactory levels of light and outlook.

7.3.3 All units must benefit from private amenity space which must comply with the requirements set out in the SPG. A minimum of 5sqm of private outdoor space should be provided for 1-2 person dwellings and an extra 1sqm should be provided for each additional occupant. Dwellings on upper floors should all have access to a terrace, roof garden, winter garden, courtyard garden or balcony.

7.3.4 In terms of amenity space, the layout of the proposed plot of the new dwelling would be relatively awkward with the garden comprising of a narrow area to the rear of the property, widening to a garden area to the rear of the site. Nevertheless, the overall size of the garden would comply with the London Plan standards of a minimum of 8sqm having regards to the possible number of occupiers and it would provide a patio area immediately to the rear of the dwelling with a garden area further back. There is also further space to the side and front of the dwelling. The existing dwelling would retain a more regular rear amenity space in form and it would also provide a sufficient sized garden for the dwelling. Therefore, on balance the proposal would provide an adequate outdoor amenity space for the new and existing dwelling.

### **7.4 Highways – Acceptable**

#### **7.4.1 Car parking**

7.4.2 Two adequately sized parking space is provided for the dwelling within the front curtilage utilising the existing crossover for the garage with two spaces provided for the existing dwelling with a new vehicular crossover. The Council's Highways

Officer has not raised objection to the level of provision and new access. The proposed crossover to the donor property is not ideal in its location on the bend in the road however, it is in a more favourable location than the existing crossover (which serves the existing garage) as it is slightly further back from the bend therefore on balance the Highways Officers would not object to the proposed new access to the donor property subject to a condition restricting the height of any front boundary enclosures.

#### 7.4.3 Cycle parking

7.4.4 Cycle parking is required to be two spaces for the dwellings proposed. The applicant has indicated a location and structure for lockable cycle storage adjacent to the car parking space which appears to be of a reasonable size to accommodate a number of bicycles.

#### 7.4.5 Refuse

7.4.6 All new developments shall have adequate facilities for refuse and recycling. The applicant has indicated a refuse storage location and has provided details of the store which would have adequate space for the refuse and recycling bins.

### 7.5 **Neighbourhood Amenity - Acceptable**

7.5.1 Policy 37 of the Bromley Local Plan seeks to respect the amenity of occupiers of neighbouring buildings and those of future occupants, providing healthy environments and ensuring they are not harmed by noise and disturbance, inadequate daylight, sunlight, privacy or by overshadowing.

7.5.2 Policy 4 of the Bromley Local Plan also 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.

7.5.3 In terms of outlook, the fenestration arrangement will provide front, rear and flank outlook to habitable rooms generally overlooking amenity space or overlooking the street, thus maintaining a suitable level of privacy to existing neighbouring property. It is not considered the outlook from the flank windows that will face The Fairway will cause any undue loss of privacy given the windows are proposed to be obscure glazed, the level of separation and the outlook is directed towards the rearmost part of the adjoining gardens and to the streetscene. To ensure that there is no significant loss of privacy conditions are suggested to ensure the flank windows are obscure glazed and top opening only, together with directional opening on the flank and rear first and second floor windows.

7.5.4 To the west and south, the separation of the proposed dwelling would be at least 19m from the neighbouring properties which is considered sufficient to prevent a

harmful level of overshadowing or loss of light or outlook to the neighbouring dwellings.

- 7.5.5 The proposed dwelling would not project beyond the ground floor rear elevation of No. 9. At first floor, the proposal would project 2.1m beyond the first floor rear elevation of No. 9. There would be a separation of 2.2m between the proposed dwelling and existing dwelling and this neighbouring property has its first floor rear set back to the other side of the property. As such, it is not considered that a harmful loss of outlook, light or prospect would result to the rear fenestration or amenity space of this neighbouring dwelling.
- 7.5.6 There are however flank windows within the first floor of No. 9 currently which serves a bedrooms, however as part of the proposed alterations to this dwelling,(under ref: 19/04993/FULL6) the flank window would be relocated to the rear elevation therefore proposed dwelling would not result in a harmful loss of outlook and daylight to the flank windows. The front bedroom also benefits from a front facing window and it would be converted to a bathroom as part of the proposal therefore the proposal would not impact on the habitable rooms of this neighbouring property.
- 7.5.7 Objections have been raised by local residents including security concerns due to side access, parking pressure and hazards, loss of views, HMO potential, construction vehicles and loss of trees to the rear of The Fairway. The application proposes a side gates either side of the site, to access the rear garden. This is a common arrangement in a suburban setting and is not therefore considered to be of significant safety concerns out of the ordinary. The comments refer a access path however it is part of the private rear garden and not a public access, nevertheless a condition relating to boundary enclosers has been suggested to ensure that there is security for both the proposed dwelling and the properties in The Fairway . The agent has confirmed that the property is not proposed to be used as a HMO and the property does not feature a large number of bedroom (3 are proposed). The proposal involves two onsite parking space for the existing and proposed dwelling therefore it would not have a significant impact on on-street parking. The development site is not considered to be backland as it would be fronting onto Brookmead Avenue whilst is recognised the site is garden land. The proposed dwelling is set back from the boundary shared with rear gardens of The Fairway which would lessen its impact on the adjoining trees/vegetation and the Tree Officer has not raised any objections to the proposal. The Highways Officer has not raised any concerns with regards to the access for construction vehicles in this case.

## **7.6 Trees – Acceptable**

- 7.6.1 By reason of the increase built form and hardstanding on the site, the Tree Officer has recommended that a soft landscaping condition be imposed which would require the planting of a new tree of a minimum size to compensate for the development. Subject to this condition, the Tree Officer has not raised any objections to the proposal.

## 7.7 CIL

7.7.1 The Mayor of London's CIL is a material consideration. CIL is payable on this application and the applicant has completed the relevant form.

## 8. CONCLUSION

8.1 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 area or on highways safety and on street parking and the proposed dwelling would provide a minor contribution to the Council's 5 year housing supply.

8.2 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:** Application Permitted

As amended by documents received on 20/07/20

**Subject to the following conditions:**

1. **Standard time limit**
2. **Standard compliance with plans**
3. **Scheme for surface water drainage**
4. **Slab levels required**
5. **Details of boundary treatments**
6. **Landscaping**
7. **Car parking details to be implemented**
8. **Obscure glazing fixed shut windows first and second storey flank elevations**
9. **Directional opening for flank and rear first and second floor windows**
10. **Materials in accordance with plans**
11. **No boundary treatment on front or first 2.5m exceed 1m in height**
12. **Remove PD rights A and B**

**Any other planning condition(s) considered necessary by the Assistant Director of Planning**

**Informatives:**

1. **Crossover**