

Committee Date	10.12.2020	
Address	8 Speldhurst Close Bromley BR2 9DT	
Application Number	18/03074/RECON	Officer - Suzanne Lyon
Ward	Hayes and Coney Hall	
Proposal	Minor material amendment to planning permission 18/03074/FULL6 granted for 'ground floor rear and side and first floor rear extension with elevational alterations' to allow an increase in height	
Applicant	Mr & Mrs Anand Kaliaperumal	Agent N/A
	8 Speldhurst Close Bromley BR2 9DT	N/A
Reason for referral to committee	Significant objection	Councillor call in

RECOMMENDATION	Approve Minor Material Amendment
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KEY DESIGNATIONS
<ul style="list-style-type: none"> • Biggin Hill Safeguarding Area • London City Airport Safeguarding • Smoke Control SCA 8 • Tree Preservation Order

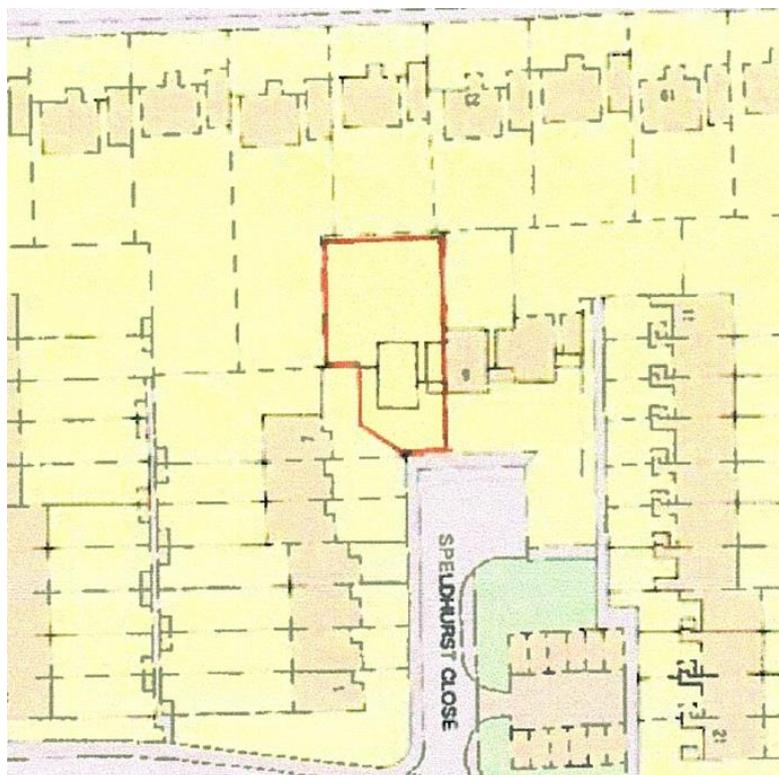
Representation summary	Neighbour letters were sent 05.02.20
Total number of responses	3
Number in support	0
Number of objections	3

1 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- The proposed development would not impact on the character or appearance of the host property or surrounding ASRC
- No unacceptable impact would arise to neighbouring occupiers; and
- No unacceptable Highways impacts would arise

2 LOCATION

- 2.1 The application site is a two storey detached property located on the northern side of Speldhurst Close, a cul-de-sac of 21 properties.



3 PROPOSAL

- 3.1 Approval is sought for minor material amendments to the development granted planning permission under reference 18/03074/FULL6 granted for 'ground floor rear and side and first floor rear extension with elevational alterations' to allow an increase in height.

4 RELEVANT PLANNING HISTORY

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

- 17/00130/FULL6 - Demolition of existing garage and construction of ground and first floor rear extensions and single storey side extension with rooflights and canopy area to front. - Permitted 20.03.2017
- 18/03074/FULL6 - Ground floor rear and side and first floor rear extension with elevational alterations – Permitted 26.09.2018

5 CONSULTATION SUMMARY

Adjoining Occupiers (summary)

- Built incorrectly - point addressed in paragraph 7.1
 - Has been built 450mm higher than their old garage roof
 - New bedroom extends backwards to the very limits possible and overhangs and wraps around our wall.
 - Wrong materials have been used
 - Should enforce the original materials and require the height of the bedroom be brought down to the original height of the old garage.
- Impact on amenities - point addressed in paragraph 7.2
 - Impinged on quality of life and has impacted on light and outlook
 - Poorly finished blank wall
 - Location plan does not show correctly how properties link together
 - Difficult to read the measurements attached to the plans submitted
 - Do not show how the old and new compare and relate to 9 Speldhurst Close

Please note the above is a summary of the material planning considerations and the full text is available on the council's website.

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 The London Plan

- 7.4 Local character
- 7.6 Architecture

6.11 Draft London Plan

- D1 London's form and characteristics
- D4 Delivering good design
- D5 Inclusive design

6.12 Bromley Local Plan 2019

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

6.13 Bromley Supplementary Guidance

Supplementary Planning Guidance 1 - General Design Principles
Supplementary Planning Guidance 2 - Residential Design Guidance

7 ASSESSMENT

7.1 Design – Layout, scale – Acceptable

7.1.1 The proposed two storey rear extension would be of the same siting and footprint as the permitted scheme, however this current proposal increases the height of the extension. At the rear, the single storey rear extension increases in height and width by 0.14m, and at the side the extension increases in height by 0.2m to a maximum of 3.38m. The plans have also been amended to reflect the uneven ground levels of the site.

7.1.2 The development is sited at the side and rear of the property. The increase in height at the side is visible from the street however given the modest increase of 0.2m, it is not considered to result in a significant impact on the appearance of the property or wider street scene.

7.1.3 The finishing materials include brickwork and render, in accordance with the approved plans (18/03074/FULL6).

7.1.4 In the light of the permission granted under reference 18/03074/FULL6 it is considered that the minor material amendments would have no significant impact on visual amenity and the appearance of the host dwelling.

7.2 Residential Amenity – Acceptable

7.2.1 The proposal seeks to increase the height of the rear extension by 0.14m and the height of the side extension by 0.2m. The plans have also been amended to reflect the uneven ground levels of the site. When viewed from the front the side element has a height of 3.05 – 3.38m. It is noted that the development is located along the shared flank boundary with No.9 Speldhurst Close therefore there may be a slight increased impact on amenity due to the increase in height, however it is also noted that shared boundary line is staggered and the footprint of No.9 wraps around this extension at the rear. As such, it is not considered to impact significantly on light or outlook of this neighbouring property.

- 7.2.2 The proposal also includes an increase in the height of the single storey rear extension by 0.14m and width by 0.14m. This element maintains 1.15m side space to the shared flank boundary with No.9. Given the separation and modest increase in height, it is considered that the minor material amendment does not impact significantly on the amenities of this neighbouring property over and above that of the approved plans.
- 7.2.3 The neighbouring property to the west, No.7, is orientated at 90 degrees to the application site and the proposal maintains approximately 7m side space to the western flank boundary, it is therefore considered that the proposal does not result in a significant impact on the light, outlook or privacy to this neighbouring property.
- 7.2.4 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.

8 CONCLUSION

- 8.1 Having regard to the above, the development in the manner proposed is acceptable in that it would not result in a significant impact on the character and appearance of the surrounding area or harm the amenities of neighbouring residential properties.
- 8.2 Background papers referred to during production of this report comprise all correspondence on the file refs: set out in the Planning History section above, excluding exempt information.

RECOMMENDATION: Approve Minor Material Amendment

Subject to the following conditions:

- 1. Retain in accordance with approved plans**