

<b>Committee Date</b>	04.03.21	
<b>Address</b>	17 Drayton Avenue Orpington BR6 8JN	
<b>Application Number</b>	20/04638/FULL6	<b>Officer</b> – Steven Hoang
<b>Ward</b>	Farnborough and Crofton	
<b>Proposal</b>	Demolish conservatory and erect single storey rear extension	
<b>Applicant</b>	<b>Agent</b>	
Mrs Elaine Harrison 17 Drayton Avenue Orpington BR6 8JN	Mr Brian Wilson 119 Murray Avenue Bromley BR1 3DS	
<b>Reason for referral to committee</b>	Related to Council employee	<b>Councillor call in</b> No

<b>RECOMMENDATION</b>	<b>PERMISSION</b>
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<p>KEY DESIGNATIONS</p> <p>Biggin Hill Safeguarding Area Biggin Hill Safeguarding Area, Birds</p>
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<b>Representation summary</b>	Neighbouring properties were notified of the application by letter dated 08.12.20	
Total number of responses	0	
Number in support	0	
Number of objections	0	

## SUMMARY OF KEY REASONS FOR RECOMMENDATION

- The development would not result in a harmful impact on the character and appearance of the area.
- The neighbouring amenity impact of this proposal would be limited.

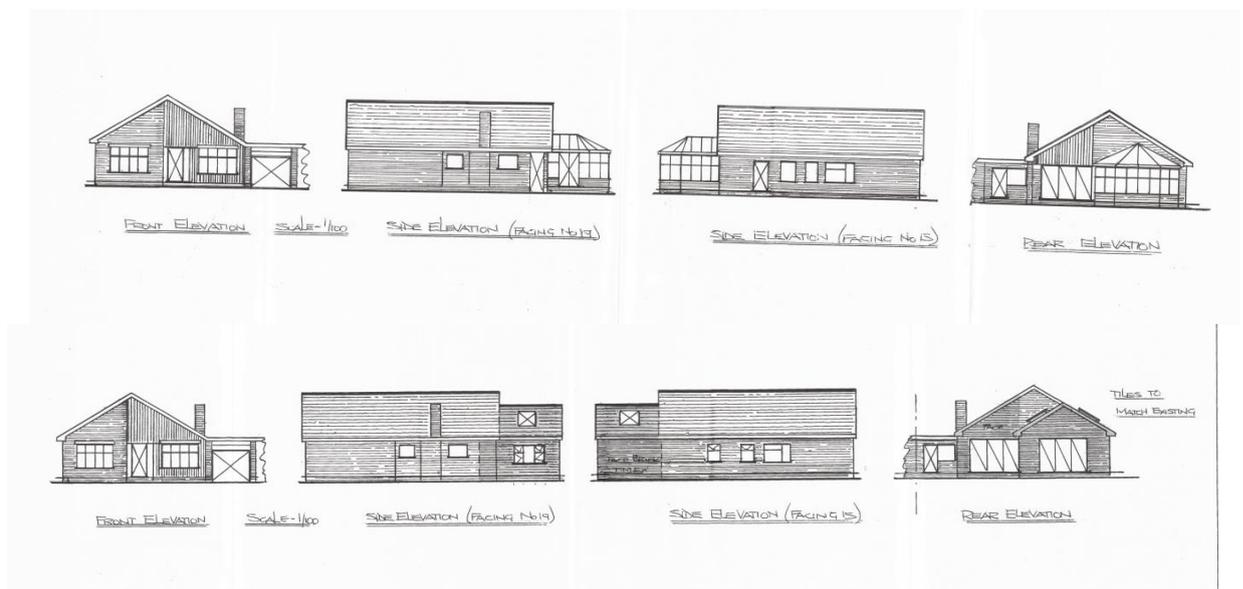
### 1. LOCATION

- 1.1 The application site is occupied by a detached bungalow facing north onto Drayton Avenue. The house features a dual pitched roof and is finished with a mixture of facing brick and wooden cladding. The property also benefits from a conservatory to the rear and side garage on the western elevation, there is also parking for at least two cars to the front on hardstanding.
- 1.2 The surrounding area is predominantly residential and is characterised by a mixture of bungalows and two storey dwellings. The site does not lie within an Area of Special Residential Character (ASRC) nor a Conservation Area.



## 2 PROPOSAL

- 2.1 The development proposes to demolish an existing conservatory to be replaced with a single storey rear extension with a depth of 4m along the eastern flank wall and a width of 5.3m, and also designed to include two rooflights and pitched roof set below the main roof at a height of 4.6m to the ridge and 2.9m to the eaves.
- 2.2 A further extension to the rear is proposed at a depth of 1.35m along the western flank wall, infilling an open area set back beneath the main roof of the house.
- 2.3 There are also alterations proposed to remodel the bathroom and WC which will involve replacing existing windows and a door on the eastern elevation with new windows.



## 3 RELEVANT PLANNING HISTORY

- 3.1 20/04636/PLUD - Erection of a garden room Lawful Development Certificate (Proposed). Pending decision.

## 4 CONSULTATION SUMMARY

### A) Statutory

No requirement to consult any statutory consultees due to the nature of this application.

### B) Neighbouring Occupiers

Letters were sent to four neighbouring properties. No representations were

received.

## **5 POLICIES AND GUIDANCE**

- 5.1 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.
- 5.2 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.
- 5.3 The Development Plan for Bromley comprises the London Plan (March 2016) and the Bromley Local Plan (2019). The NPPF does not change the legal status of the development plan.
- 5.4 An updated 'Intend to Publish' version of draft London Plan – entitled Publication London Plan December 2020 - was published on 21 December 2020. This version of the draft plan includes changes made by the Mayor in response to a number of Directed Changes made by the SoS in March and December 2020. The relevant documents are available on the Mayor's website: <https://www.london.gov.uk/what-we-do/planning/london-plan/new-london-plan/publication-london-plan>
- 5.5 The draft new London Plan (December 2020) 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.
- 5.6 The draft New London Plan is at a very advanced stage; in a Written Ministerial Statement dated 15/12/2020, the SoS indicated that he expects to agree the London Plan with the Mayor early in the new year (early 2021). 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.
- 5.7 Prior to issuing further Directed Changes in December 2020, the SoS (in two SoS call-in appeals in the Royal Borough of Kensington and Chelsea, appeal ref: APP/C5690/W/18/3205926; and the London Borough of Hounslow, appeal ref: APP/G6100/V/19/3226914) had established that the

draft London Plan policies are capable of having significant weight where they weren't subject to Directed Changes.

5.8 Considering this information against paragraph 48 of the NPPF, the draft new London Plan (December 2020 'Intend to Publish' version) is considered to have very significant weight where there are no Directed Changes to policies; and significant weight where there are Directed Changes to policies. Taking this into account, the draft new London Plan policies should be used to determine this planning application, alongside policies in the adopted Local Plan and adopted London Plan. Where there is conflict between the policies in the draft new London Plan and the policies in the adopted Development Plan, the draft new London Plan should generally be given primacy although this may vary from case to case..

5.9 Upon adoption of the new London Plan, it will become the most up-to-date Development Plan Document for the London Borough of Bromley, and therefore, in accordance with section 38(5) of the Planning and Compulsory Purchase Act 2004, "if to any extent a policy contained in a development plan for an area conflicts with another policy in the development plan the conflict must be resolved in favour of the policy which is contained in the last document to become part of the development plan."

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

5.11 National Planning Policy Framework 2019

5.12 The London Plan

7.4 Local character

7.6 Architecture

5.13 Draft London Plan

D4 Delivering good design

5.14 Bromley Local Plan 2019

6 Residential Extensions

37 General Design of Development

5.15 Bromley Supplementary Guidance

Supplementary Planning Guidance 1 - General Design Principles

Supplementary Planning Guidance 2 - Residential Design Guidance

## **6 ASSESSMENT**

6.1 Design – Acceptable

- 6.1.1 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.
- 6.1.2 London Plan and Bromley Local Plan policies further reinforce the principles of the NPPF setting out a clear rationale for high quality design.
- 6.1.3 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: (i) 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 (ii) space or gaps between buildings should be respected or maintained where these contribute to the character of the area.
- 6.1.4 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.
- 6.1.5 The proposed 4m deep single storey rear extension would resemble the design of the main house by featuring a pitched roof. The rear extension would be set below the roof of the main house and set well within the western flank wall, creating a sense of subservience.
- 6.1.6 In terms of the other element of the rear extension proposed to infill an open area set back beneath the main roof of the house, the extension would be only 1.35m in depth and is not considered to impact significantly on the overall appearance of the house.
- 6.1.7 The proposed extensions to the rear would be subject to a matching external materials condition to ensure the development integrates appropriately with the host dwelling. The proposed extension is not considered to significantly impact upon the character of the surrounding area. s
- 6.1.8 The proposed alterations to the eastern elevation to replace existing windows and door with new bathroom windows are considered to have a negligible impact.
- 6.1.9 Having regard to the form, scale, siting and matching external materials, it is considered that the proposed works would complement the host property

and would not appear out of character with surrounding development or the general character of the area.

## 6.2 Residential Amenity - Acceptable

- 6.2.1 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.
- 6.2.2 The proposed rear extension would have a rearward projection of 4m along the eastern boundary. Given there will be a separation distance of at least 1.5m from the shared boundary to the east, officers do not consider the overall height and depth of the extension to cause an unreasonable loss of amenity to the neighbouring property to the east (no.15 Drayton Avenue).
- 6.2.3 On the other side, the proposed extension would be set in from the shared boundary towards the west by approximately 2.5m. Given the separation distance provided, the proposed extension would not have a detrimental impact upon the occupiers at no.19 Drayton Avenue.
- 6.2.4 Having regard to the scale and siting of the development, it is not considered that a significant loss of amenity with particular regard to outlook, daylight/sunlight and privacy would arise. The proposal therefore complies with Policy 37 of the Bromley Local Plan.

## 7 **CONCLUSION**

- 7.1 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.
- 7.2 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**

#### **Subject to the following conditions:**

- 1. Standard time limit**
- 2. Standard compliance with plans**
- 3. Standard materials to match the existing building**

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