

Committee Date	27.05.21	
Address	19 Edward Road Biggin Hill TN16 3HN	
Application Number	21/00480/FULL1	Officer – Steven Hoang
Ward	Darwin	
Proposal	Demolition of existing bungalow and construction of a detached two storey 4 bedroom house and a detached 3 bedroom bungalow. Additional dropped kerb and driveway	
Applicant	Agent	
Mr Gary Spiteri 19 Edward Road Biggin Hill TN16 3HN	Mr Jon Bale 3 Rice Parade Fairway Petts Wood BR5 1EQ	
Reason for referral to committee	Outside delegated powers and level of objections	Councillor call in No

RECOMMENDATION	PERMISSION
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Site notice required:	Yes	Date displayed: 26.02.2021
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<p>KEY DESIGNATIONS</p> <p>Biggin Hill Airport Safeguarding Area</p>
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Summary

Residential Use					
	Number of bedrooms per unit				
	1	2	3	4	Total
Market	0	0	1	1	2
Affordable (shared ownership)					N/A
Affordable (social rent)					N/A
Total	0	0	1	1	2

Vehicle parking	Existing number of spaces	Total proposed including spaces retained	Difference in spaces (+ or -)
Standard car spaces	2	4	+2
Disabled car spaces	0	0	0
Cycle	0	2 (stores)	+2 (minimum)

Representation summary	Neighbouring properties were notified of the application by letter dated 13.03.21. A site notice was also displayed at the site.	
Total number of responses		8
Number in support		0
Number of objections		7
Neutral comment		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 neighbouring amenity impact of this proposal would not be detrimental.
- The development would not impact adversely on highways safety and would provide sufficient parking.

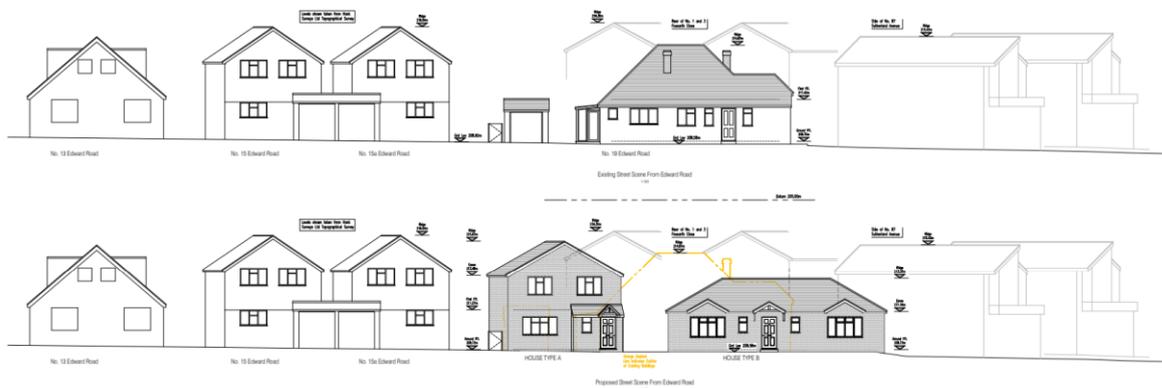
1. LOCATION

- 1.1 The application site is a triangular shaped plot of land (approximately 638sqm) located on the southern end of Edward Road by the junction of Sutherland Avenue. There is a detached bungalow which has been extended to include accommodation in the roof currently occupying the site, the existing property benefits from an ancillary detached garage with a vehicular access leading onto Edward Road.
- 1.2 The surrounding area is predominantly residential and mainly characterised by detached houses consisting of various designs, ranging from one to two storeys in height. The site is within an area with a low PTAL rating of 1a on a scale between 0 to 6b, where 0 is worst and 6b is excellent.
- 1.3 The site is not within an Area of Special Residential Character or a Conservation Area.

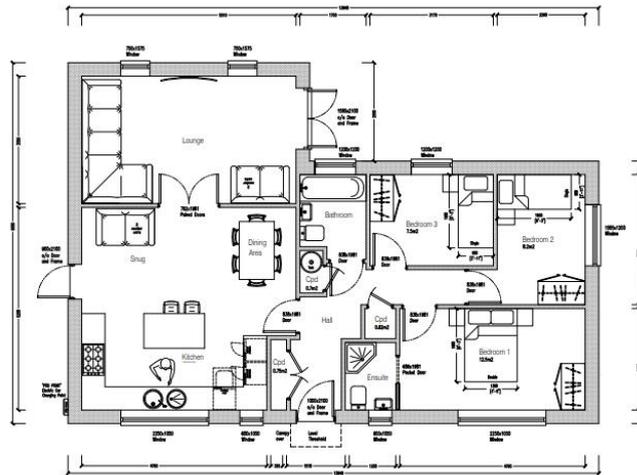
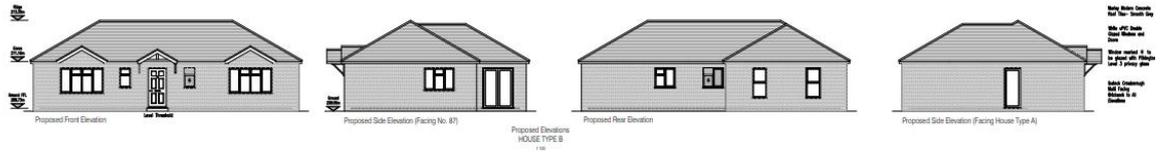


2 PROPOSAL

- 2.1 Permission is sought for the demolition of the existing house to be replaced with two new dwellings; a two storey 4 bed house (Type A) and 3 bed bungalow (Type B). Additional car parking is proposed together with cycle storage and refuse.
- 2.2 The application is supported by the following documents:
 - Design and Access Statement
 Building materials schedule



Existing and proposed streetscene



Proposed Floor Plan
HOUSE TYPE B

Proposed	
Gross Internal Floor Area	184m ²
Gross External Floor Area	184m ²
3 Bedroom 4 Person	

The Proposed New Dwelling will Fully Comply with The London Plan (Revised March 2016)

- 1) Minimum Dwelling Space Standards
- 2) Max 105 Litres Water Consumption Per Person Per Day
- 3) Building Regulations for Accessibility & Adaptability (Part M2C)

Proposed House Type B

3 RELEVANT PLANNING HISTORY

3.1 None

4 CONSULTATION SUMMARY

A) Statutory

LBB Drainage Engineer: No comments.

LBB Highways: No objection subject to condition.

Thames Water: No comments.

B) Neighbouring Occupiers

A site notice was displayed nearby the site and also notification letters were sent to neighbouring owners/occupiers. Representations were received from 8 neighbouring properties, including 7 objections and one neutral comment which are summarised as follows:

Objections

- Loss of daylight/sunlight and overshadowing
- Loss of outlook/overbearing impact
- Increased density/overdevelopment

- Overlooking/loss of privacy
- Traffic and highway impacts
- Character and appearance (including impact of proposed fencing)
- Construction noise
- Drainage

Objectors also mentioned the impact on property value and ability to sell property which is not a material planning consideration. There were also concerns regarding 'sink holes' which is not controllable under planning legislation. Potential overlooking from future roof extension was a matter of concern, however in the event of permission being granted any future roof extensions would need to be examined by the local planning authority who will examine impacts such as overlooking.

Neutral comment: "We have no objection to the planned proposal but would like it noted that we would expect current boundary lines in the alleyway (side of 4 bedroom planned development) to be respected as we note the fence is proposed to be replaced .We would also like it noted that no scaffolding will be allowed to be erected in the alleyway as this is the entry point for utilities and water pipes etc run the length of the alleyway for 7 Foxearth Close".

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 2021) and the Bromley Local Plan (2019). The NPPF does not change the legal status of the development plan.
- 5.4 The application shall be determined in accordance with the following policies:
- 5.5 National Planning Policy Framework 2019

5.6 The London Plan

- D4 Delivering good design
- D6 Housing quality and standards
- D3 Optimising site capacity through the design-led approach
- H1 Increasing housing supply
- H2 Small Sites
- T5 Cycling
- T6.1 Residential parking

5.7 Bromley Local Plan 2019

- 1 Housing Supply
- 4 Housing Design
- 8 Side Space
- 30 Parking
- 32 Road safety
- 37 General Design of Development
- 73 Development and Trees

5.8 Other Guidance

- Supplementary Planning Guidance 1 - General Design Principles
- Supplementary Planning Guidance 2 - Residential Design Guidance
- Technical Housing Standards - Nationally Described Space Standard (March 2015)

6 **ASSESSMENT**

6.1 Principle of development – Acceptable

- 6.1.1 The current position in respect of Bromley's Five Year Housing Land Supply (FYHLS) was agreed at Development Control Committee on 24th 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.
- 6.1.2 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.

6.1.3 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

6.1.4 London Plan Policy H1 sets Bromley's housing target at 774 homes per annum. In order to deliver this target, boroughs are encouraged to optimise the potential for housing delivery on all suitable and available brownfield sites. This approach is consistent with Policy 1 of the Bromley Local Plan, particularly with regard to the types of locations where new housing delivery should be focused.

6.1.5 This application involves the net increase of one dwelling, which would represent a minor contribution to the supply of housing within the Borough. This aspect of the proposal will be considered in the overall planning balance set out in the conclusion of the report having regard to the presumption in favour of sustainable development.

6.1.6 With regard to the current proposals, this site is located in a residential area where the Council may consider infill developments provided that they are designed to complement the character and spatial standards of the surrounding area, the design and layout of the dwelling provide suitable residential accommodation, and the proposals provide adequate amenity space and parking for future occupants.

6.2 Density - Acceptable

6.2.1 Policy D3 of the London Plan relates to 'Optimising site capacity through the design-led approach' and states that all development must make the best use of land by following a design-led approach that optimises the capacity of sites. Form and layout should enhance local context by delivering buildings and spaces that positively respond to local distinctiveness through their layout, orientation, scale, appearance and shape. The quality and character shall respond to the existing character of a place by identifying the special and valued features and characteristics that are unique to the locality

and respect, enhance and utilise the heritage assets and architectural features that contribute towards the local character.

6.2.2 Policy D4 of the London Plan outlines the various methods of scrutiny that assessments of design should be based on depending on the level/amount of the development proposed for a site.

6.2.3 The proposals also need to be assessed against the wider context in terms of the impact on the character, spatial standards and townscape value of the surrounding area, and the impact on residential amenity and pressure for parking in surrounding roads.

6.3 Design – Acceptable

6.3.1 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.

6.3.2 Paragraph 124 of the NPPF (2018) states that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

6.3.3 Paragraph 127 of the NPPF (2018) requires Local Planning Authorities to ensure that developments will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; are visually attractive as a result of good architecture, layout and appropriate and effective landscaping and are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities). New development shall also establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit; optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

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

6.3.5 The proposed house type A would be positioned towards the northern section of the site and would follow the existing building line of the existing

adjacent neighbouring properties (15 & 15a). The height and scale of the proposed two storey house is considered to integrate appropriately alongside the existing neighbouring dwellings to the north, the proposed pitched roof design would create a sense of coherence with the existing pitched roof design of the adjacent neighbouring properties along Edward Road.

- 6.3.6 Proposed house type B would be sited further south than the existing bungalow, however the spaciousness between the junction of Edward Road and Sutherland Avenue would be retained. The height of the proposed bungalow would be lower than the existing house, which will provide a sensitive transition in height between the existing property along Sutherland Avenue (no.87) and also proposed two storey house (type A). Although it is recognised that house type B would be positioned closer to the south eastern boundary than the existing dwelling, officers do not consider this to result in a cramped appearance. The proposed bungalow (type B) would also retain a relationship between the existing bungalows on the opposite corner site immediately to the west.
- 6.3.7 Both proposed dwellings are considered to retain the spatial standards of the surrounding area, a side space condition will be imposed to ensure sufficient space is provided between the existing and proposed dwellings. Also the proposed dwellings would be set back from the highway similarly to the existing dwellings along the eastern side of Edward Road, providing defensible space from the highway. Although drawings indicate the existing hedging will be retained, a condition will be imposed to require details of landscaping in order to provide further enhancements to the streetscene.
- 6.3.8 The proposed alterations to the eastern elevation to replace existing windows and door with new bathroom windows are considered to have a negligible impact.
- 6.3.9 Overall the scale, height and design of the development proposed is considered to integrate appropriately with the prevailing character of the surrounding area and also the local pattern of development.

6.4 Standard of residential accommodation - Acceptable

- 6.4.1 In March 2015 the Government published The National Technical Housing Standards. This document prescribes internal space within new dwellings and is suitable for application across all tenures. It sets out requirements for the Gross Internal (floor) Area of new dwellings at a defined level of occupancy as well as floor areas and dimensions for key parts of the home, notably bedrooms, storage and floor to ceiling height. The Gross Internal Areas in this standard will not be adequate for wheelchair housing (Category 3 homes in Part M of the Building Regulations) where additional internal area is required to accommodate increased circulation and functionality to meet the needs of wheelchair households.

- 6.4.2 Policy 4 of the Bromley Local Plan sets out the requirements for new residential development to ensure a good standard of amenity. The Mayor's Housing SPG sets out guidance in respect of the standard required for all new residential accommodation to supplement London Plan policies. The standards apply to new build, conversion and change of use proposals. Part 2 of the Housing SPG deals with the quality of residential accommodation setting out standards for dwelling size, room layouts and circulation space, storage facilities, floor to ceiling heights, outlook, daylight and sunlight, external amenity space (including refuse and cycle storage facilities) as well as core and access arrangements to reflect the Government's National Technical Housing Standards.
- 6.4.3 The London Plan makes clear that ninety percent of new housing should meet Building Regulation requirement M4 (2) 'accessible and adaptable dwellings' and ten per cent of new housing should meet Building Regulation requirement M4 (3) 'wheelchair user dwellings', i.e. is designed to be wheelchair accessible, or easily adaptable for residents who are wheelchair users. The relevant category of Building Control Compliance should be secured by planning conditions.
- 6.4.4 The minimum internal space standard required for the proposed dwelling type A is 97sqm and for dwelling type B is 74sqm. Both of the proposed dwellings exceed the minimum internal space standards; proposed housing type A would be 145.4sqm and housing type B would provide 92.9sqm. In addition, sufficient private outdoor amenity space will be provided to the rear of house type A and also to the rear and side of house type B.
- 6.4.5 The proposed bedrooms and habitable rooms of both dwellings would provide a good outlook towards the rear/side garden or towards the street, and are also served by window(s) providing adequate levels of natural light to all habitable rooms.
- 6.4.6 Submitted drawings indicate both dwellings to comply with Building Regulation requirement M4 (2) 'accessible and adaptable dwellings'.
- 6.4.7 In short, the proposal would provide a satisfactory standard of accommodation for future occupiers.
- 6.5 Neighbouring amenity – Acceptable
- 6.5.1 Policies 6 and 37 of the Bromley Local Plan seek 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.
- 6.5.2 The siting of proposed House Type A would not cause a loss of outlook or overbearing impact to existing neighbouring properties along Edward Road, Foxearth Close or Sutherland Avenue. It is noted the neighbour to the north

(no.15a) features flank windows and shadow will be casted by House Type A towards the flank of no.15a, however the position and design of this neighbours flank windows indicate that they serve a stairway or landing and not habitable rooms. The siting of House Type A is not considered to significantly impact upon the amenity of other existing neighbours.

- 6.5.3 It is acknowledged proposed House Type B will be sited closer to the neighbour at no.87 Sutherland Avenue and also the rear garden of no.1 Foxearth Close compared to the existing dwelling. It must also be noted the height of proposed House Type B will be lower than the existing dwelling and the applicant has submitted revisions to reduce the overall scale and massing of the roof by 'hipping' the originally proposed gable end. Part of House Type B will be 2.1m set in from the boundary of no.87 Sutherland Avenue, however this part of proposed building will be to the side of no.87 Sutherland Avenue. There is also a separation distance of approximately 2.5m from the rear of House Type B and rear garden boundary of no.87 Sutherland Avenue. Given the height and separation distance provided between the proposed building (Type B) and no.87 Sutherland Avenue, officers do not consider the proposal to detrimentally impact upon the residential amenities of no.87 Sutherland Avenue in terms of loss of outlook or overbearing impact. Officers also do not consider there to be a detrimental impact caused to neighbours at Foxearth Close due to the separation distance provided.
- 6.5.4 With regards to loss of daylight/sunlight and overshadowing to no.87 Sutherland Avenue, it must be noted the proposed dwelling (Type B) will be sited to the northwest from the rear of no.87 Sutherland Avenue so no south facing windows will be affected and thereby daylight/sunlight during winter months would not be significantly affected. However, during other seasons the rear of no.87 Sutherland Avenue would enjoy uninterrupted sunlight during the morning and afternoon, but shadow will be casted towards this neighbour during the late afternoon towards sunset. Given these circumstances, officers do not consider the proposal to cause an unreasonable loss of daylight/sunlight or overshadowing impact to no.87 Sutherland Avenue. The siting of the proposed dwelling Type B is not considered to adversely impact upon natural light to other existing neighbours.
- 6.5.5 In terms of overlooking and loss of privacy, it is considered that the proposal would not introduce an unusual inter-visibility to the site. It should be noted the existing property consists of a rear dormer window looking towards the rear gardens of Foxearth Close, the proposal would have a similar impact. Concerns were expressed by neighbours with regards to roof extensions being built to the proposed houses and impacting on their privacy. In the event of permission being granted, a condition will be imposed to require any further alterations or extensions to the roof of the proposed dwellings to be approved by the local planning authority who will examine this impact.
- 6.5.6 The siting and separation distance between the proposed dwellings would not adversely impact upon the residential amenities of future occupiers in respect of loss of daylight/sunlight, overshadowing or loss of outlook. A

condition will be imposed to ensure proposed upper floor flank windows are obscured glazed and appropriately fixed to prevent overlooking between the proposed dwellings.

6.5.7 Concerns were raised regarding the impact of noise during construction. In the event of permission being granted, a Construction and Environmental Management Plan will be required by way of condition.

6.6 Highways, refuse and parking – Acceptable

6.6.1 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.

6.6.2 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.

6.6.3 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.

6.6.4 Two car parking spaces will be provided to the front of each proposed dwelling. Access to the parking spaces is not considered to result in highway safety issues and the number of parking spaces proposed comply with London Plan Policy T6.1 and also Policy 30 of the BLP.

6.6.5 Drawings indicate cycle storage will be provided to the rear garden within a proposed timber shed and refuse storage to the front and side of the proposed dwellings. Officers are satisfied with cycle storage and refuse arrangements as proposed.

6.6.6 Overall the proposed car and cycle parking as well as refuse storage are considered acceptable.

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: PERMISSION

Subject to the following conditions:

- 1. Standard time limit**
- 2. Standard compliance with plans**
- 3. Removal of PD Rights**
- 4. Materials**
- 5. Accessible and adaptable dwellings**
- 6. Boundary treatment**
- 7. Flank window(s) restriction**
- 8. Side space**
- 9. Parking**
- 10. Wheel wash-down facilities**
- 11. Window details**
- 12. Landscaping**
- 13. Construction and Environmental Management Plan**

Informatives

- 1. Street Naming and Numbering**
- 2. The applicant should apply to the Council for the installation of the crossover, details are on the Council's website.**

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