

Committee Date	08/07/21	
Address	8 Ebury Close Keston BR2 6EL	
Application Number	21/01946/FULL6	Officer - Catherine Lockton
Ward	Bromley Common and Keston	
Proposal	Part one/two storey side/rear extension to enclose swimming pool and first floor side extension	
Applicant Mr & Mrs M Thomas	Agent Mr Joe Alderman Robinson Escott Planning LLP	
8 Ebury Close Keston BR2 6EL	303 Downe House High Street Orpington BR6 0NN	
Reason for referral to committee	Called-in by ward Councillor	Councillor call in Yes

RECOMMENDATION	PERMISSION BE GRANTED
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KEY DESIGNATIONS Biggin Hill Safeguarding Area London City Airport Safeguarding Smoke Control SCA 22 Adjacent to a Conservation Area Tree Preservation Orders

Representation summary	<i>Adjoining neighbours and those that has provided representations on the previous application at the site (ref: 20/01480/FULL6) were consulted by letter on 19.05.2021.</i>
Total number of responses	1
Number in support	0
Number of objections	1

1 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- The proposed development would respect and complement the scale and form of the host dwelling and would not be detrimental to the character, appearance and visual amenities of the streetscene within which it lies
- The proposed development would not result in a significant loss of amenity to neighbouring residents.
- The proposed development would not result in any adverse harm to protected trees within and near the site.
- The proposed development would therefore comply with the overarching aims and objectives of Policies 6, 8, 37 and 73 of the Bromley Local Plan.

2 LOCATION

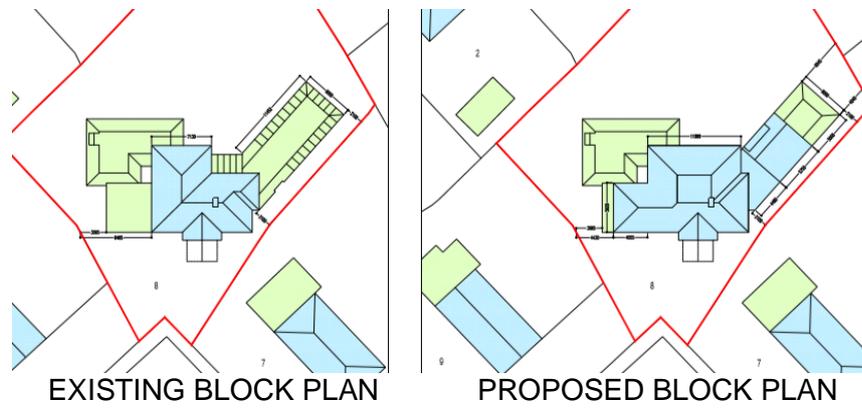
- 2.1 The application site hosts a large two storey detached dwellinghouse located on Ebury Close, Keston.



- 2.2 Ebury Close is a small cul-de-sac located off the southern side of Croydon Road, Keston and comprises 9 large detached dwellinghouses constructed in the late 1960's.
- 2.3 The Close lies adjacent to the Keston Park Conservation Area which lies to the east, south and west of the close, bordering the application site along its eastern rear boundary.
- 2.4 A number of trees within the application site and neighbouring sites are covered by Tree Preservation Orders.

3 PROPOSAL

- 3.1 Planning permission is sought for a part one/two storey side/rear extension to enclose swimming pool and first floor side extension.



- 3.2 The proposed extension part one/two storey side/rear extension would be located to the south (side) and east (rear) of the existing dwelling. At ground floor it would replace the existing glazed and brick structure which encloses the existing swimming pool, changing area, plant room, and gym and links this all internally to the main dwelling. The extension would project for a length of 15.2m diagonally to lie adjacent to the existing boundary shared with No. 7.
- 3.3 The first floor element of the proposed side/rear extension would extend above part of the ground floor part of the extension to the side and rear to project only 10.2m in length adjacent to the boundary with No. 7. The full height and length of the extension would be sited 2.1m from this boundary. The roof of this part of the extension above the existing pool (adjacent to the side boundary) would have a part flat roofed section adjoined the existing dwelling and an asymmetrical pitched roof section with rear gable for the remaining two storey length. The single storey part of this extension would have a crown roof.
- 3.4 The extension would also wrap around to the rear to align with the first floor rear elevation of the existing dwelling. This part of the extension would have a hipped roof with a flat ridge section which would adjoin the existing roof of the dwelling.
- 3.5 The flat roofed section of the two storey extension would be clad with vertical timber panels with the remainder of the extension finished with facing brickwork and a tiled roof to match the existing dwelling.
- 3.6 The proposed first floor side extension would be located to the north-western side of the dwelling above the existing attached garage and would measure approximately 4m in width by 5.9m in length. The front of the extension would align with the front of the existing dwelling and it would have a hipped roof with an eaves height to match the existing main roof, but with a ridge height set below that of the main roof.
- 3.7 Revised plans were received 29.06.21 to show a revised internal layout for the proposed first floor side extension so that the proposed en-suite bathroom would be located at the front and the bedroom area to the rear of this part of the extension. The window within the front elevation has therefore been amended to be smaller and obscure glazed.
- 3.8 The first floor side extension would be finished with facing brickwork and a tiled roof to match the existing dwelling.



EXISTING AND PROPOSED FRONT ELEVATION

4 RELEVANT PLANNING HISTORY

- 4.1 The application property was constructed in the late 1960's as part of a development of 9 detached houses and road granted under ref: 64/300 in the grounds of No. 47 Croydon Road.
- 4.2 A number of subsequent details applications were granted in relation to this approved development under ref's: 66/01094, 66/01824, 67/00368, 67/00768, 67/00994, 67/01146, 67/01147, and 68/02186.
- 4.3 Under ref: 84/00173/FUL, planning permission was granted for a single storey rear extension.
- 4.4 Under ref: 00/02756/FULL1, planning permission was refused for a two storey rear extension, pitched roof over existing single storey rear extension and new chimney stack for the following reason;

“The proposed pitched roof and two storey rear extension would by reason of their size and bulk be detrimental to the amenities of adjoining properties in terms of loss of prospect and visual impact, contrary to Policies E.1 and H.3 of the Unitary Development Plan.”
- 4.5 Under ref: 00/03404/FULL1, planning permission was granted for a two storey rear extension.
- 4.6 Under ref: 03/03075/FULL6, planning permission was granted for a single storey side/rear extension, front porch and pitched roofs over single storey side/rear extension.

- 4.7 Under ref: 04/03420/FULL6, planning permission was granted for the construction of an open air swimming pool.
- 4.8 Under ref: 05/04473/FULL6, planning permission was granted for a single storey side/rear extension to enclose swimming pool.
- 4.9 Under ref: 07/00179/FULL6, planning permission was granted for a first floor side extension. This does not appear to have been implemented.
- 4.10 Most recently, under ref: 20/01480/FULL6, planning permission was refused for a part one/two storey side/rear extension to enclose swimming pool and first floor side extension for the following reasons;

“The proposed part one/two storey side and rear extension, by reason of its excessive size, height, bulk, massing and lack of adequate side space, would result in a disproportionate addition to the host dwelling which would fail to respect its scale and form and size of the site within which it lies and would be harmful to the spatial standards and characteristics of the wider area in general; thereby contrary to Policies 6, 8 and 37 of the Bromley Local Plan and Policies 7.4 and 7.6 of the London Plan.”

5 CONSULTATION SUMMARY

A) Statutory

Trees: An arboriculture submission has detailed tree constraints and proposed precautionary measures. The impact on protected trees is within acceptable limits and will be overseen by the retained Arboricultural Consultant. Therefore, it is considered that the development may proceed in accordance with the Arboricultural Report and subject to appropriate conditions.

Environmental Health: No objection

B) Local Groups

No comments received.

C) Adjoining Occupiers

Impact on the living conditions of No. 9 (addressed in paragraphs 7.2.3 to 7.2.5)

- Objection to extension over the garage; although the window from the side elevation has been removed, the flank wall is still very close to the garden of No. 9, towering over the garden and would be overbearing. The view from the garden of No. 9 would be a 6m high brick wall with pitched roof on top less than 2m from the fence.
- No. 9 already has a loft conversion with full height windows built on Croydon Road looking over the garden within planning and this proposed extension would make the garden of No. 9 a space that does not fit the house.

- The brickwork on the plans shows it to match the existing but No. 8 has had a previous rear extension and the brickwork is a very poor match. It is feared that the new extension would also be of poor quality in respect of the brickwork.
- The current first floor window overlooks No. 9 and the new first floor window at the front would overlook the lounge French doors and garden of No. 9 even more.
- Loss of privacy.
- Loss of light.

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 National Planning Policy Framework was published on 24 July 2018 and updated on 19 February 2019.

6.4 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.

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

6.6 National Policy Framework (2019)

6.7 The London Plan (2021)

- D3 Optimising site capacity through the design-led approach
- D4 Delivering good design
- G7 Trees and woodlands

6.8 Bromley Local Plan (2019)

- 6 Residential Extensions
- 8 Side Space
- 37 General Design of Development
- 42 Development Adjacent To a Conservation Area
- 73 Development and Trees
- 77 Landscape Quality and Character

6.9 Bromley Supplementary Guidance

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

7 ASSESSMENT

7.1 Design, Scale and Layout – Acceptable

- 7.1.1 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.
- 7.1.2 London Plan and Bromley Local Plan policies further reinforce the principles of the NPPF setting out a clear rationale for high quality design.
- 7.1.3 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.
- 7.1.4 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.
- 7.1.5 Policies 6 and 37 of the Bromley Local Plan and the Council's Supplementary design guidance seek to ensure that new development, including residential extensions are of a high quality design that respect the scale and form of the host dwelling and are compatible with surrounding development.
- 7.1.6 Policy 8 of the Bromley Local Plan also relates specifically to Side Space and states that 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.
- 7.1.7 Supplementary Planning Guidance No. 2 (Residential Design Guidance) states "local context is of particular importance when adding new buildings to established areas. Building lines, spaces between buildings, means of enclosure and the use and location of garden or amenity space should all respect the character of the locality".

- 7.1.8 This application follows a recently refused application (ref: 20/01480/FULL6) at this site for a similar extension which was refused on the basis that the excessive size, height, bulk, massing and lack of adequate side space of the part one/two storey side and rear extension to enclose the existing pool would have resulted in a disproportionate addition to the host dwelling which would fail to respect its scale and form and size of the site within which it lies and would be harmful to the spatial standards and characteristics of the wider area in general.
- 7.1.9 This previously refused application included a similar first floor side extension above the existing garage and two storey extension above the existing swimming pool. However, the extension above the existing pool was two storeys for its full length and had a differing roof design. It also included a small single storey element adjoining the side boundary which would have housed the pool equipment. The first floor side extension above the existing garage to the north-western side proposed under this previous application was also slightly wider but had a slightly lesser length and included a hipped roof with a ridge height to match the existing.
- 7.1.10 The first floor side extension above the existing garage has been reduced by approximately 0.2m in width and increased by approximately 0.4m in length towards the rear. The ridge height of the roof has also been lowered slightly to sit below the ridge height of the existing dwelling.
- 7.1.11 The footprint of the ground floor of the part one/two storey side and rear extension to the south and east side would be similar to that proposed under ref: 20/01480. However, the proposed single storey pump room has been removed ensuring that a full 2.1m separation would be retained from the flank wall of the extension to the side boundary.
- 7.1.12 The first floor footprint of the part one/two storey side and rear extension has been reduced by 5m in length. The roof of the two storey extension has also been altered with the flat roofed section to the rear removed and replaced with a crown hipped roof to match the eaves and ridge height of the existing dwelling and the flat roofed section to the side reduced slightly in length. The hipped roof section to the side proposed as part of the previous application has also been replaced with an asymmetrical pitched roof with rear gable end 4.5m shorter in length and with a ridge height around 1.1m lower in height.
- 7.1.13 The first floor side extension to the north-western side above the existing garage would align with the first floor front wall of the existing dwelling but would be set back from the rear wall. It would also be set in from the flank wall of the garage below by 1.3m. A separation of a minimum of 4m would be provided from the flank wall of the first floor extension and the existing separation of a minimum of approximately 2.8m maintained from the existing ground floor flank wall of the garage below. This would ensure compliance with the technical requirements of Policy 8 of the Bromley Local Plan as well as its aims and objectives in terms of protecting the spatial standards of the area.

- 7.1.14 The ridge of the roof to the first floor side extension has been set below that of the main roof to provide an element of subservience in terms of its overall appearance. The extension would also be finished with facing brick work walls and a tiled roof to match the existing dwelling with the size, design and positioning of the windows to the front and rear would also match those of the existing dwelling.
- 7.1.15 The proposed part one/two storey extension to the rear and south-eastern side of the dwelling would have a similar footprint at ground floor as the existing pool extension, but would be much more solid in appearance than the existing glazed structure. It would also result in an increase in size, bulk and massing at first floor.
- 7.1.16 It was acknowledged in the consideration of the 2020 application, that due to the location of the property and siting of the extension, that the extension to the south and east of the property would not be widely visible from the streetscene. However, due to its substantial size, bulk and massing would be a disproportionate addition to the host dwelling which would appear overly dominant and would fail to respect its existing scale and form and that of surrounding development.
- 7.1.17 The size, bulk and massing of the first floor side part of the extension has been significantly reduced from that proposed under the previously refused 2020 application. The extension at first floor would be 5m shorter in length and the roof design to the rear section would be less bulky and lower in height than that of the previous proposal. The flat roofed section with vertical timber cladding would still differ to the existing brick built tiled roof dwelling. However, it is considered to add a complementary link between the more traditional brick built dwelling and the remainder of the extension.
- 7.1.18 The two storey rear element of the extension, whilst including a larger roof, would relate better to the host dwelling and given its location to the rear would not be visible from the wider public realm.
- 7.1.19 The removal of the single storey pump room would also ensure that a full separation of 2.1m would be provided from the extension to the side boundary shared with No. 7.
- 7.1.20 Having regard to the above, it is considered that the proposed extensions would respect and complement the scale and form of the host dwelling and site within which it lies and would not result in any adverse harm to the character, appearance and visual amenities of the streetscene.

7.2 Residential Amenity – Acceptable

- 7.2.1 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.

- 7.2.2 As summarised within Section 5 of this report, concerns have been raised by the neighbouring property at No. 9 Ebury Close which is located to the front and western side of the application site. These objections relate solely to the impact of the proposed first floor side extension above the existing garage and raise concerns with regards to its overbearing appearance and loss of privacy due to its size and proximity to No. 9 given their existing relationship.
- 7.2.3 The proposed first floor side extension would be located to the north-western side of the application dwelling. It would be sited a minimum of 4m to the western side boundary of the application site which forms the rear boundary of No. 9. A distance of a minimum of approximately 14m would be maintained from the front of this extension to the rear of this neighbouring dwelling. The extension would not extend higher than the existing main roof of the dwelling and would also have a hipped roof design which would help minimise its visual appearance. Accordingly, whilst the extension would be visible from the rear of No. 9 and its garden area, it is not considered to give rise to any significant loss of outlook or prospect to these neighbouring occupiers.
- 7.2.4 The proposed first floor side extension would not include any flank windows. However, it would include a window within the front elevation which would be closer to the boundary shared with No. 9 than the existing first floor front windows. However, the revised plans received 29.06.21 show that this front window would be smaller and obscure glazed as it would now serve the en-suite bathroom.
- 7.2.5 Having regard to these revisions, which include the reduction in the size of the window and the provision of obscure glazing, would help mitigate any overlooking and as such the proposed extension is not considered to result in any adverse loss of privacy.
- 7.2.6 The proposed part one/two storey side/rear extension would be located to the south and eastern side of the dwelling adjacent to the boundary with No. 7 Ebury Close. The properties at No.'s 53 and 55 Forest Drive also border the rear of the property. The rear of the single storey element of the proposed extension would be located only a minimum of 4m from the rear boundary shared with these properties within Forest Drive; however, this would be no less than the existing pool structure.
- 7.2.7 The first floor element of the extension would be sited a minimum of 9m from this rear boundary. Both these neighbouring properties to the rear benefit from substantial rear gardens. In addition, there are a number of protected trees which lie along this common boundary which provide screening. As such, the proposed extension is not considered to give rise to any adverse loss of residential amenity to these neighbouring properties at the rear.
- 7.2.8 The neighbouring dwelling at No. 7 is sited away from its northern boundary which forms the southern boundary of the application site and benefits from an attached single storey garage which forms the closest part of No. 7 to the application site. The proposed extension would therefore be sited around 10m

from the main part of this neighbouring dwelling. The mature trees which lie along the boundary would also help provide some screening to reduce the overall visual impact.

7.2.9 Accordingly, given the siting of the dwellings, with No. 7 also located due south of the application site, it is considered that the proposed extension would not give rise to any significant loss of light or outlook to this neighbouring dwelling.

7.2.10 The proposed part one/two storey side and rear extension would contain a large proportion of glazing at ground floor along the flank elevation facing No. 7. However, given the glazed nature of the existing structure, the ground floor location of these windows, they are not considered to result in any harmful loss of privacy.

7.2.11 One first floor flank window is proposed which would serve an en-suite bathroom and could be required by way of a condition of any approval to be obscure glazed and of limited opening to reduce any opportunities for overlooking.

7.2.12 Having regard to the above, it is considered that, on balance, no significant loss of amenity to neighbouring residents, with particular regard to light, outlook, prospect and privacy, would arise from the proposed development.

7.3 Trees – Acceptable

7.3.1 Policy 73 (Development and Trees) states that proposals for new development will be required to take particular account of existing trees on the site and adjoining land, which in the interests of visual amenity and/or wildlife habitat, are considered desirable to be retained.

7.3.2 There are a number of trees located within and close to the site. However, the Council's Tree Officer has advised that he is happy that the development can proceed subject to conditions requiring the development to be implemented in accordance with the details set out in the submitted Arboricultural Report dated 10.07.20 under the supervision of a retained arboricultural specialist and details of all tree protection monitoring and site supervision by a suitably qualified tree specialist.

8 CONCLUSION

8.1 Having had regard to the above, it is considered that the proposed development is acceptable.

8.2 The scale and design of the proposed extensions would respect and complement the scale and form of the host dwelling and that of surrounding development and would not be detrimental to the character and appearance of the area and locality.

8.3 The proposed development would not give rise to any significant loss of residential amenity to neighbouring occupiers.

- 8.4 The proposed development would not result in adverse harm to protected trees within and nearby the site.
- 8.5 The proposed development would therefore comply with the overarching aims and objectives of Policies 6, 8, 37 and 73 of the Bromley Local Plan.
- 8.6 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 of 3 years.**
- 2. Standard compliance with approved plans.**
- 3. Details of all tree protection monitoring and site supervision by a suitably qualified tree specialist.**
- 4. Development implemented in accordance with submitted Arboricultural Report dated 10.07.20.**
- 5. Materials as set within the application documents.**
- 6. Obscure glazing to south-eastern flank window within proposed part one/two storey side/rear extension to enclose swimming pool.**
- 7. Obscure glazing to first floor front window within proposed first floor side extension.**

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

Informatives

1. Control of Pollution Act 1974 and/or the Environmental Protection Act 1990 and Control of Pollution and Noise from Demolition and Construction Sites Code of Practice 2017.

2. Suspected contamination – contact Environmental Health.