

Committee Date	05.08.2021		
Address	128B College Road Bromley BR1 3PF		
Application Number	19/03728/RECON	Officer - Louisa Bruce	
Ward	Plaistow And Sundridge		
Proposal	Single storey side infill and first floor extensions to dwellinghouse with conversion of resultant building including roof space into 4 residential units (1 x 1 bed and 3 x 2 bed).		
Applicant	Agent		
Mrs Sally Phelps	Mr Andy Gay		
128B College Road Bromley BR1 3PF	Manna Court 11 Hales Street East Peckham TONBRIDGE TN12 5HL		
Reason for referral to committee	Call-In	Councillor call in	
		Yes	

RECOMMENDATION	Application Permitted
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<p>KEY DESIGNATIONS</p> <p>Biggin Hill Safeguarding Area London City Airport Safeguarding Open Space Deficiency Smoke Control SCA 5</p>
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Land use Details		
	Use Class or Use description	Floor space (GIA SQM)
Existing	C3	-
Proposed	C3	-

Residential Use – See Affordable housing section for full breakdown including habitable rooms					
	Number of bedrooms per unit				
	1	2	3	4 Plus	Total / Payment in lieu
Market	1	3			4
Affordable (shared ownership)	0	0	0	0	0
Affordable (social rent)	0	0	0	0	0
Total	1	3	0	0	4

Vehicle parking	Existing number of spaces	Total including retained proposed spaces	Difference in spaces (+ or -)
Standard car spaces	3	2	-1
Disabled car spaces	0	0	0
Cycle	0	4	+4

Electric car charging points	1
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Representation summary	Neighbours were notified of the application on A site notice was put up outside of the property on 8 th June 2021.	
Total number of responses		9
Number in support		0
Number of objections		9

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.

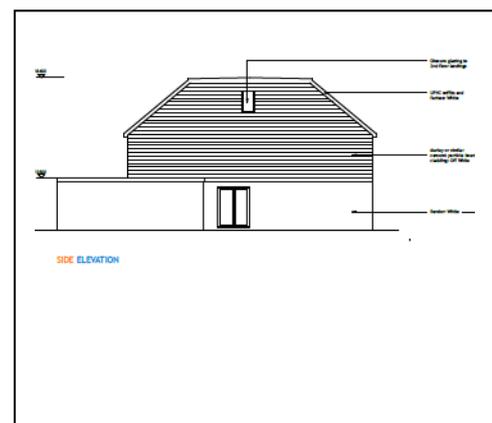
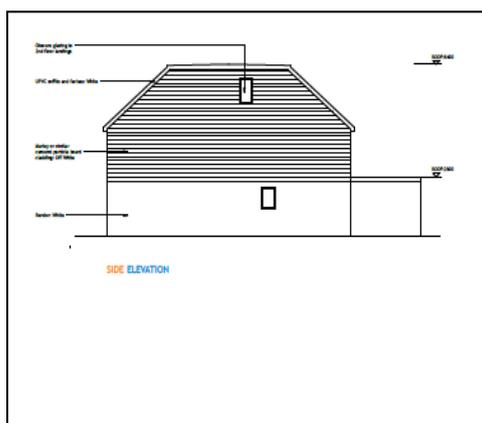
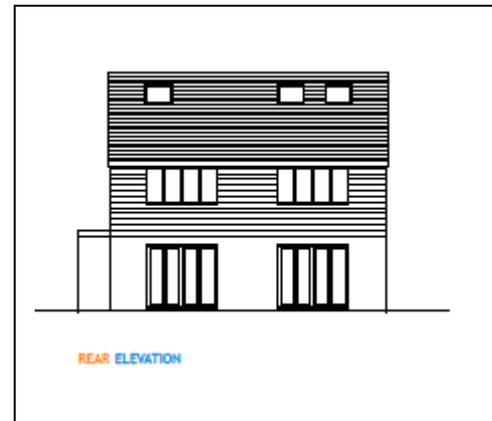
2. LOCATION

- 2.1 The application relates to a single storey bungalow type property, which is located on the south east side of College Road, Bromley. The properties roof is partly pitched and partly flat. It is of red brick construction with dark wooden panelling. An integral garage projects forward of the main building. There is off street parking to the front which is accessed by a dropped kerb. The southern side of College Road is made up of modern dwellings, including detached single properties and flatted buildings. These are both single storey and two-storey in height. The northern side of the road is more traditional in character, with typical Victorian style properties.



3. PROPOSAL

3.1 The application seeks a minor material amendment under Section 73 of the Town and Country Planning Act 1990 to allow variation of condition 2 (approved plans) pursuant to planning permission ref: 21/02144/FULL1 which was granted planning permission on appeal on 19/02/2021 for a single storey infill and first floor extension to dwelling house with conversion of resultant building, including roofspace into 4 x residential units (1 x 1 bed and 3 x 2 bed). The applicants are wishing to make changes to the approved scheme by increasing the roof height by 0.6m which in turn will change the roof pitch of the dwellinghouse to 40 degrees. Additional roof lights are sought to be inserted into the front and rear elevations and the location of existing rooflights altered. Two new obscure glazed windows are proposed to the flank elevations and a patio door is shown to be inserted in place of a window on the ground floor. The proposed materials for the external construction are proposed to be changed.



4. RELEVANT PLANNING HISTORY

19/03728/FULL1 - Single storey side infill and first floor extensions to dwellinghouse with conversion of resultant building including roofspace into 4 residential units (1 x 1 bed and 3 x 2 bed). Refused for the following reason:

- 1. The proposal, by reason of the number of units proposed and subsequent number of occupiers would be an overdevelopment and over intensive use of the site, impacting detrimentally on the residential amenities of local residents and on the character of the area, contrary to Policies 4, 9 and 37 of the Bromley Local Plan (2019) and Policies 3.3, 3.4 and 7.4 of the London Plan (2016).*

The above mentioned application (19/03728/FULL1) was allowed on appeal on 19.02.2021.

18/05326/FULL6 - First floor extension to create two storey dwelling and internal alterations. Refused for the following reasons:

- 1. The proposed extension as a result of its scale, form, design and forward projection, together with the failure to provide necessary side space would result in a bulky, obtrusive and incongruous form of development harmful to the character and appearance of the dwelling and streetscene in general contrary to Policies 6, 8 & 37 of the Bromley Local Plan (2019); Policy 7.4 of the London Plan and Supplementary Planning Guidance Numbers 1.*
- 2. The proposed extension by reason of its forward projection, location, fenestration arrangement and height would result in a dominant form of development, harmful to the residential amenities of Number 130 College Road by way of lost outlook, loss of privacy, visual dominance and overshadowing contrary to Policy 37 of the Bromley Local Plan (2019) and Supplementary Planning Guidance Numbers 1 & 2.*

19/01780/FULL6 - Single storey side infill extension and first floor extension to create two storey dwelling. Permission.

5. CONSULTATION SUMMARY

- A) Statutory

TfL – no new response received. Comments as per previous application.

Two car parking spaces are proposed. The site has a Public Transport Accessibility Level (PTAL) of 3 (on a scale from 0-6b where 6b is the highest), as such the proposed car parking quantum is compliant with draft London Plan policy T6.1. However, drawing 128B CR 0003 shows that one of the proposed car parking spaces is located directly adjacent to the cycle parking, making the proposed cycle parking inaccessible. This should be revised.

Furthermore, in line with draft London Plan policy T6.1, at least one of the proposed car parking spaces should have access to an active Electric Vehicle Charging Point (EVCP). This should be secured by condition.

Eight cycle parking spaces are proposed, which accords with the minimum standards of draft London Plan policy T5. However it is not evident that the proposed cycle parking arrangements are compliant with the London Cycling Design Standards (LCDS). Besides the issue stated above regarding the location of car parking obstructing the proposed cycle rack, it is not clear that the rack is accessible for all types of cycle, furthermore it is not covered or secure. As such, the Council should ensure that the cycle parking arrangements are compliant with LCDS prior to permission being granted.

Construction

Construction of the proposed development must not obstruct the footway or carriageway of College

Road in proximity to the adjacent bus stop. Temporary obstructions during the construction must be kept to a minimum and should not encroach on the clear space needed to provide safe passage for pedestrians accessing the bus stop or obstruct the flow of buses on College Road.

Summary

In summary, TfL requests the above issues be addressed prior to permission being granted.

Highways:

The site is located within a moderate PTAL 3 area and lies inside the Bromley Town Centre Controlled Parking Zone (CPZ) where there is limited parking available.

A2212 College Road North of Tweedy Road is a classified road and also a London Distribution Route.

For 19/03728/FULL1 as per Policy 30 of Local Plan the Council requires off-street parking space to be provided in new residential development in accordance with Table 1 of the above policy.

For a 1 x 1 bed and 3 x 2 bed bedroom development in a 2* to 6a PTAL, minimum of 3 spaces are required. The applicant is only providing 2 spaces. This is not satisfactory.

Now as per London Plan for Outer London PTAL and 1 to 2 bed minimum 3 spaces are required. Still not satisfactory.

Drainage –

Request for a surface water drainage condition. If footprint is less than 50m2 no comment.

B) Local Groups

None

C) Adjoining Occupiers

Nearby owners/occupiers were notified of the application and the representations were received:

Objections

- Height of the building
- Impact on natural light
- Insufficient parking
- Impact on the character of the streetscene, infrastructure and road safety of College Road
- Privacy compromised
- Insufficient parking, cycle storage and refuse provision
- Overdevelopment of site.

Full and detailed comments of all the objection letters received can be found on the on-line file.

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 in 2021.
- 6.4 The development plan for Bromley comprises the Bromley Local Plan (Jan 2019) and the London Plan (Mar 2021). 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:

London Plan Policies

- D1 London's form and characteristics
- D3 Optimising site capacity through the design-led approach
- D4 Delivering good design
- D5 Inclusive design
- D6 Housing quality and standards
- D7 Accessible housing
- D11 Safety, security and resilience to emergency
- D12 Fire safety
- D14 Noise
- H1 Increasing Housing Supply
- H2 Small sites
- H5 Threshold Approach to application
- H9 Ensuring the best use of stock
- H10 Housing Size Mix
- H12 Supported and specialised accommodation
- G5 Urban greening
- SI1 Improving air quality
- SI4 Managing heat risk
- SI5 Water infrastructure
- SI7 Reducing waste and supporting the circular economy
- SI12 Flood risk management
- SI13 Sustainable drainage
- T2 Healthy Streets
- T3 Transport capacity, connectivity and safeguarding
- T4 Assessing and mitigating transport impacts
- T5 Cycling
- T6 Car parking
- T6.1 Residential Parking
- T7 Deliveries, servicing and construction

Bromley Local Plan

- Policy 1 Housing Supply
- Policy 4 Housing Design
- Policy 8 Side Space
- Policy 9 Residential Conversions
- Policy 30 Parking
- Policy 32 Road Safety
- Policy 37 General Design of Development
- Policy 116 Sustainable Urban Drainage
- Policy 119 Noise Pollution
- Policy 123 Sustainable Design and Construction

Supplementary Planning Guidance

Housing: Supplementary Planning Guidance. (2015)
DCLG: Technical Housing Standards (2015)
Bromley's SPG No.1 - General Design Principles
Bromley's SPG No.2 - Residential Design Guidance

7. ASSESSMENT

7.1 The main issues to be considered in respect of this proposal are:

- Principle
- Design
- Neighbouring amenity
- Highways
- CIL

7.2 Principle

7.2.1 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.

7.2.2 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.

7.2.3 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.

- 7.2.4 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.
- 7.2.5 Policy H2 requires Boroughs to pro-actively support well-designed new homes on small sites (below 0.25 hectares in size). Policy D3 requires all development to make the best use of land by following a design led approach.
- 7.2.6 The application seeks planning permission for the construction of a single storey side infill and first floor extension to the existing building together with the conversion of the resultant building, including roof space to provide 4 residential units. This would be an uplift of three residential units.
- 7.2.7 The principle of allowing the property to be converted into 4 x residential units has been established and accepted following the Inspector's decision in February 2021.
- 7.2.8 In granting the appeal the Inspector stated "*the principle of constructing a single-storey side infill extension and first floor extension to create a two-storey property has been established within extant permission 19/01780/FULL6. This decision considered the design and potential effect of the extensions on the character and appearance of the area and upon neighbouring occupiers regarding overshadowing, enclosure, privacy and outlook. The extensions within this extant permission are of a similar scale and position to those within the current proposal and represent a credible fall-back position. The current proposal's pattern of front and rear elevation windows would be similar to the extant scheme with no proposed additional flank windows at first or second floor level. The two rear-facing Velux windows would be at roof-ridge level which would limit opportunities for overlooking onto properties to the rear. Issues relating to privacy, overshadowing, enclosure, or outlook for neighbouring occupiers have therefore not been cited within the Council's reason for refusal. I see no reason to disagree with this and accept that the principle of the proposal's position, design and scale is acceptable.*"

7.3 Design

- 7.3.1 Policy 6 of the Bromley Local Plan (2019) states that 'The scale, form and materials should respect or complement those of the host dwelling and be compatible with development in the surrounding area', it goes on to state that 'Space or gaps between buildings should be respected or maintained where these contribute to the character of the area.'
- 7.3.2 Policy 8 of the BLP normally requires extensions of two or more storeys in height to be a minimum of 1m from the side boundary of the site for the full height and length of the building.

- 7.3.3 As stated above planning permission to convert the property into 4 one bedroom flats has been allowed on appeal. The applicant is now seeking to make changes to the original application which include; a 0.6m increase in the ridge height of the property with a change to the roof pitched which now makes it a steeper pitch. The front elevation will contain one additional rooflight (from that originally approved). The location of the rooflights will be altered. One will serve the ensuite to Flat 3 and the other two the bedroom of Flat 4. In the rear elevation one additional rooflight is also sought (from that originally approved). One rooflight will serve the dressing room to Flat 4 and the other two to the bedroom of Flat 3. A window is also proposed to be added to the flank elevations which will serve the staircase to Flat 3 and Flat 4. A set of patio doors is shown to be added in place of a window on the ground floor to Flat 1 which serves a bedroom. A change to the proposed materials is also sought with the brick exterior of the first floor changed to marley or cerement board cladding. The accompanying drawings illustrate that the ground floor of the property will still be rendered in white on the ground floor and the roof will be tiled with two added obscure glazed windows to the second floor landings. The changes to the exterior materials are considered to be acceptable and the changes from brick to cladding are not considered to be out of keeping in the street scene with the nearby Bromley day nursery front dormer being constructed from white cladding.
- 7.3.4 The application site is located on the south east side of College Road. This side of the road comprises a mix of dwelling styles, which are of various ages of construction. The immediate neighbours are modern in appearance. Whilst the site and the neighbouring units are not entirely uniform, they are considered to be relatively harmonious in that all exhibit some form of pitched roof. The external facing materials include brick, render and hanging tiles. These properties are also set back from the highway behind an area of off-street parking. The opposite side of the road comprises mainly semi-detached Victorian housing stock, which has a uniform appearance and a clear pattern of development. There are examples of single dwellings and sub-divided flatted properties. The sub-divided flatted properties include 71, 73 and 81 College Road which are located on the opposite side of the road.
- 7.3.5 The existing property is a single storey bungalow which includes a part pitched/part flat roof with a forward projecting garage that extends up to the side boundary. It forms one of two bungalows on this side of the road. Both are somewhat incongruous amongst the larger scale developments within the road. However, as noted above, this side of does have a variety of dwelling styles. The creation of a two storey dwelling has already been assessed and deemed acceptable under the extant permission and the proposed extensions are very similar to that scheme.
- 7.3.6 The main change will be the increase in height and change to the roof pitch. Given the similarities to the approved application it is not considered that the 0.6m increase in height will harm the character of the host dwelling or that of the wider streetscene to the extent that the refusal of planning permission would be justified. Building heights are varied along this part of College Road and it is not considered that the additional 0.6m would result in a development that would appear overly dominant or out of character in the street scene.

7.4 Standard of Accommodation

- 7.4.1 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.
- 7.4.2 Policy 4 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 Governments National Technical Housing Standards.
- 7.4.3 The floor space size of each of the flats in the building, ranges between 55m² and 89m² for a 1 x 1 bedroom and a 3 x 2 bedroom flats. The nationally described space standard requires various sizes of internal areas in relation to the number of persons and bedrooms provided in each unit. The sizes of the flats and additional flat have been reviewed and on this basis, the floorspace provision for all of the units is compliant with the required standards and is considered acceptable.
- 7.4.4 The proposed dwellings would meet the minimum floor space spaces. However the bedrooms within the loft space would only be served by roof lights and in certain areas would have restricted floor to ceiling heights.
- 7.4.5 Amenity space would be provided for the two ground floor flats. The upper floor flats would not be provided with private amenity space.
- 7.4.6 Whilst the upper floor units (Flats 3 & 4) would not be provided with private amenity space, Flats 1 & 2 would. The same arrangement would apply as that allowed by the Appeal Inspector where the garden would be split down the middle and amenity space afforded to Flats 1 & 2.
- 7.4.7 All units would achieve an acceptable level of light and outlook.

7.5 Neighbouring amenity

- 7.5.1 In relation to neighbouring amenity the main impact would be on the adjoining neighbouring properties. The two neighbours located either side of the 128B are 128A and 130 College Road.
- 7.6.1 The application property is located on the south east side of College Road. The neighbouring properties to the south are separated from the development

by an access drive which leads to a garage block to the rear of 128-128A College Road. The northern elevation of Number 128A faces the development site but there are no windows within this elevation which could be impacted by the development. Given the relationship between the dwellings, access road and orientation it is not considered that there would be a significant loss of amenity for these neighbours in terms of overshadowing, loss outlook or a general sense of enclosure.

- 7.6.2 Number 130 is a bungalow and has a similar depth to the host property but is marginally shallower. Its garden is also not as deep as the application site and there three windows within the side elevation facing the development. The windows within the side elevation facing the development are situated close to the shared boundary fence and already experience a degree of visual incursion and overshadowing from the existing built form of the host property. At present the eaves of the existing roof sit close to the shared boundary and, similar to the extant permission, these would be removed under the current proposal. The added height (0.6m above what has already been allowed) would result in some additional visual incursion on the neighbouring flank windows, particularly due to their orientation, however the additional visual impact on this neighbour, on balance, is considered to be acceptable.
- 7.6.3 The proposed development is similar in scale and design to the existing permission and the principle of an extended building has already been established. Therefore, the proposed arrangement would not result in a level of visual harm which is materially different to that extant permission.
- 7.6.4 Whilst two new flank windows are now proposed serving the second floor landing these two windows are shown to be obscure glazed and as such no loss of privacy or overlooking is anticipated.
- 7.6.5 There are also properties to the rear of the site. The proposed development, similar to the extant arrangement, includes upper floor rear facing windows. However, the back to back separation between these windows and the building to the rear would be around 31m. The garden at the application site is approximately 16m in depth and there is a similar arrangement at Number 33 Cambridge Road. There are other examples of two storey properties which have similar back-to-back separations along Cambridge Road and College Road, and the proposed arrangement is not too dissimilar to this wider pattern of development. There are also a number of trees along the side/rear boundary which helps provide a degree of screening.
- 7.6.6 Therefore the impact in terms of overlooking and privacy for the properties to the rear is considered to be acceptable.
- 7.6.7 Additionally, due to the separation distances outlined above, orientation of the site and garden arrangement is not considered that the development would result in a loss of outlook, overshadowing or material loss of light or overshadowing for the properties at the rear.

7.7 Highways

- 7.7.1 The existing property benefits from existing off-street parking in the form of a front drive and garage. The proposal would include the retention of the parking area to the front. Two spaces would continue to be provided. The council's highways officer has indicated that three spaces should be provided, however TfL, who are the highway authority for College Road, have not objected to the level of parking provision. The site has a PTAL 3, which is a moderate degree of accessibility.
- 7.7.2 The site is also within walking distance of various bus routes and around 0.5m to Bromley North Train Station. Additionally, it is close to Bromley Town Centre, which includes various shops and services.
- 7.7.3 Table 10.3 of the London Plan indicates 1-2 bed residential units in areas of good public transport accessibility should aim for less than 1 space per unit. In this case, the site is considered to be accessible and within walking distance of a range of local services. Therefore, the level of parking provision is considered to be acceptable. The appeal Inspector also accepted that two parking spaces would be sufficient based on TfL's comments.
- 7.7.4 Concerns have been raised by neighbours about pedestrian and highway safety due to the proximity of a bus stop. A construction management plan could be subject to a condition to ensure the appropriate management of construction traffic given the proximity of this bus stop.
- 7.7.5 The plans have also been amended to reflect the comments made by TfL about the location of the cycle storage and bin storage. A condition could be imposed to ensure their means of enclosure are satisfactory. An Electric Charing Point has also been included in-line with TfL comments.
- 7.7.6 Therefore, the proposal is considered to be acceptable in highway terms.

7.8 CIL

- 7.8.1 The Mayor of London's CIL and the London Borough of Bromley's CIL is a material consideration. CIL is payable on this application.

7.9 Other matters

- 7.9.1 Neighbours have raised the issue of restrictive covenants which prevent the extension of the property up to first floor level. However this is a legal matter between interested parties and this goes beyond the scope of this application.

7.10 Conclusion

- 7.10.1 The proposal would provide 4 residential units, which represents an uplift of three dwellings and this constitutes a modest contribution to the boroughs overall housing provision. Additionally, all units would achieve a good standard of accommodation, albeit the loft bedrooms would be somewhat

restricted as a result of the rooflights and floor to ceiling heights. However the impact on neighbouring residential amenities is acceptable. The site is considered to be within a sustainable location, close to Bromley Town Centre and would be acceptable in highway terms. In respect of the Council's 5 year housing land supply and the Inspectors conclusions surrounding the recent appeal outlined within the 'principle' section above, paragraph 11d (ii) of the Framework would be applicable. In this case, any harm identified would be minor, and would not significantly and demonstrably outweigh the benefits of the development. Therefore, in the planning balance the proposal to make minor changes to the roof height and fenestration arrangements and materials is considered to acceptable.

RECOMMENDATION: PERMISSION

1. Standard time limit of 3 years from date of original permission
2. Standard compliance with approved plans
3. Surface Water Drainage Condition
4. Construction Management Plan Condition
5. Refuse and Recycling Condition
6. Bicycle Condition
7. Materials condition
8. Tree planting condition
9. Car parking condition & no permitted development
10. Electric charging point condition
11. Obscure glazing condition

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