

Committee Date	14/10/21	
Address	26 Manor Road Beckenham BR3 5LE	
Application Number	21/00548/FULL1	Officer - Susanna Stevenson
Ward	Kelsey And Eden Park	
Proposal	Elevational alterations and second/third floor upward extension to existing building incorporating mansard roof and front and rear dormers, excavation of basement and lightwells and construction of four storey rear extension. Conversion of resultant building into 5 no. residential flats (3 no. two bedroom and 2 no. 1 bedroom) with balconies/terraces at first, second and third floor. Formation of surface car parking spaces at rear, provision of rear cycle and refuse storage and 2 no. electric car charging points at front.	
Applicant	Agent	
Richard Percy 20 Barnfield Wood Rd Beckenham BR3 6SR	Mr Keith Chandler 37 Glenthorne Ave Croydon CR0 7ET	
Reason for referral to committee	Call-In	Councillor call in Yes

RECOMMENDATION	REFUSE PLANNING PERMISSION
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<p>KEY DESIGNATIONS</p> <p>Areas of Archaeological Significance Biggin Hill Safeguarding Area London City Airport Safeguarding Smoke Control SCA 12</p>

Land use Details		
	Use Class or Use description	Floor space (GIA SQM)
Existing	C3 (residential flats)	2 x 3 bedroom flats (145 SQM)
Proposed	C3 (residential flats)	5 flats (4 x 2 bedroom, 1 x 1 bedroom) (433 SQM)

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	4			5
Total	1	4			5

Vehicle parking	Existing number of spaces	Total proposed including spaces retained	Difference in spaces (+ or -)
Standard car spaces	6* (from application form – see report at 7.4.5 & 7.6.7)	6	0
Disabled car spaces	0	0	0
Cycle	0	10	+10

Electric car charging points	2/6 (active)
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Representation summary	40 letters were sent to neighbours of the site, including all persons who have commented upon previous applications on the site. Following the receipt of revised plans (2/8/21), neighbour notification letters were sent on 3/8/21.
Total number of responses	5
Number in support	1
Number of objections	4

UPDATE

This application was presented to the Plans Sub-Committee held on 27th May 2021 where Members resolved to defer the application without prejudice to seek a reduction in bulk and a design more in character with the street scene.

Revised drawings were received on 2nd August 2021, including also a 3d street scene image. The original report is repeated below and updated where necessary.

1. SUMMARY OF KEY REASONS FOR RECOMMENDATION

- **The scale, bulk and design of the development would be unacceptable, out of character with the locality and resulting in an overdominant and over-intensive development.**
- **The proposal would result in an excessive coverage of the site by buildings and hard surfaces, uncharacteristic of the pattern of development in the area.**
- **The proposal including the depth of rearward projection, the bulk and massing of the development and the multiple rear balconies would be detrimental to the residential amenities of neighbouring residential dwellings.**
- **The proposal would result in significant noise and disturbance to neighbouring residents associated with the vehicular use of the narrow side accessway and the provision of a car park at the rear. The proposal would result in a conflict between pedestrians and vehicles along the narrow side accessway.**

2. LOCATION

- 2.1 The application site lies on the southern side of Manor Road. The street is residential and is characterised by substantial period properties, many of which have been converted into flats. The host dwelling is more modern in appearance, and is a post-war detached building which comprises 2 three bedroom flats. The host building has a large single storey rear extension.
- 2.2 The application site includes just less than a half of the rear garden associated with the flats at No. 24 (which lies to the west of the application building), reducing that site's depth by approx. 9.22m leaving an area approx. 10.12m deep.
- 2.3 The main site as existing has a reasonably generous rear garden of a depth commensurate with the neighbouring period dwellings, although it has been divided along its length to provide separate gardens for the ground and first floor flats.

- 2.4 To the west of the application site lies No. 24 Manor Road and to the east lies No. 28. No 24 occupies a footprint that projects rearwards of the application building, although this footprint includes a substantial single storey rear extension. The main first floor rear elevation of the dwelling broadly aligns with the host building. The boundary of the application site immediately abuts the flank elevation of No. 24.
- 2.5 To the rear, the application site adjoins the rearmost sections of the rear gardens of No. 1 Bevington Road and No. 2 Manor Grove.



- 2.6 The site at present is surrounded by construction hoarding.



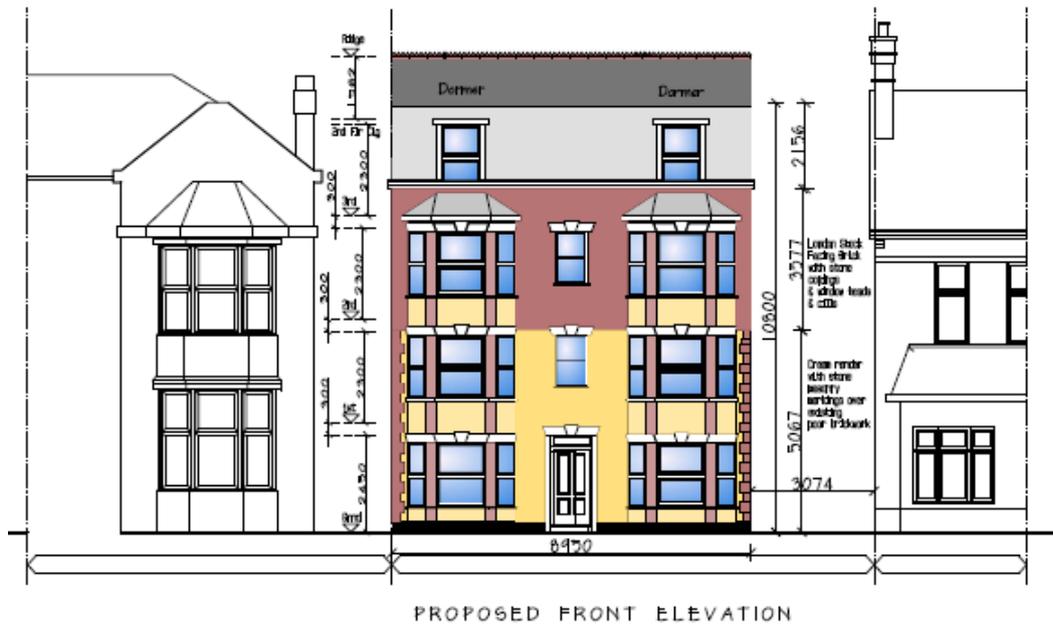
3. PROPOSAL

Update

- 3.0 The amendments to the proposals as provided within the revised drawings received 2/8/21 can be summarised:
- Reduction in width of the proposed building by 0.45m – attendant increase in width of accessway to rear.
 - Formation of three storey symmetrical bay windows to either side of the building, additional centrally positioned first and second floor windows to front elevation,
 - Reduction in internal floorspace for Flat 1 (previously 81sqm, now 78sqm), Flat 2 (previously 95sqm, now 92sqm), Flats 3 and 4 (previously 98.7sqm, now 96sqm) and flat 5 on the 3rd floor (previously 92sqm, now 89sqm).
- 3.1 Planning permission is sought for elevational alterations, rear extensions, the increase in the height of the roof (with inclusion of mansard roof and accommodation therein), a rear dormer extension and the provision of a car park to the rear of the property. A basement would be excavated and the resultant accommodation would be set as a consequence over 5 storeys.
- 3.2 The resultant building would be converted to provide 5 no. residential flats (4 two bedroom and 1 one bedroom).
- 3.3 The proposals would increase the height of the front of the building, with the parapet height proposed being approx. 8.7m. The existing eaves height of the building is approx. 5m. The ridge height of the roof would be approx. 11.8m where the existing ridge height is approx. 8.2m. The front mansard roof slope would incorporate 2 no. dormers.



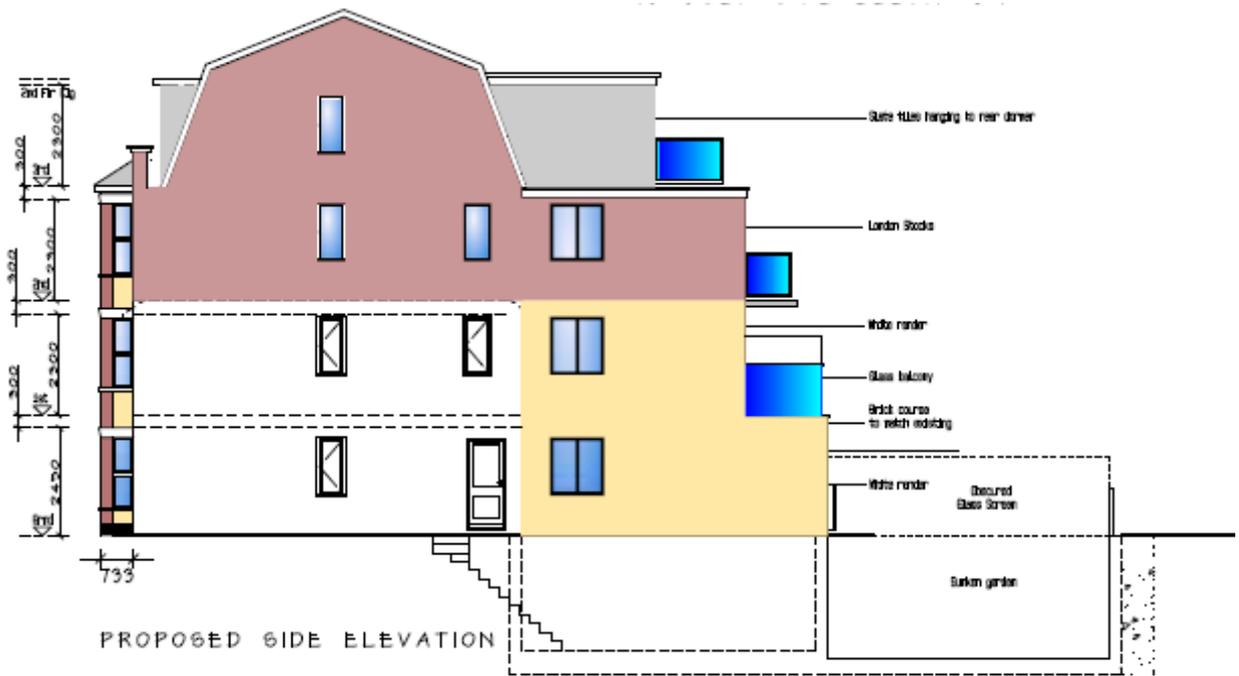
Proposal as originally submitted



Revised front elevation (2/8/21)

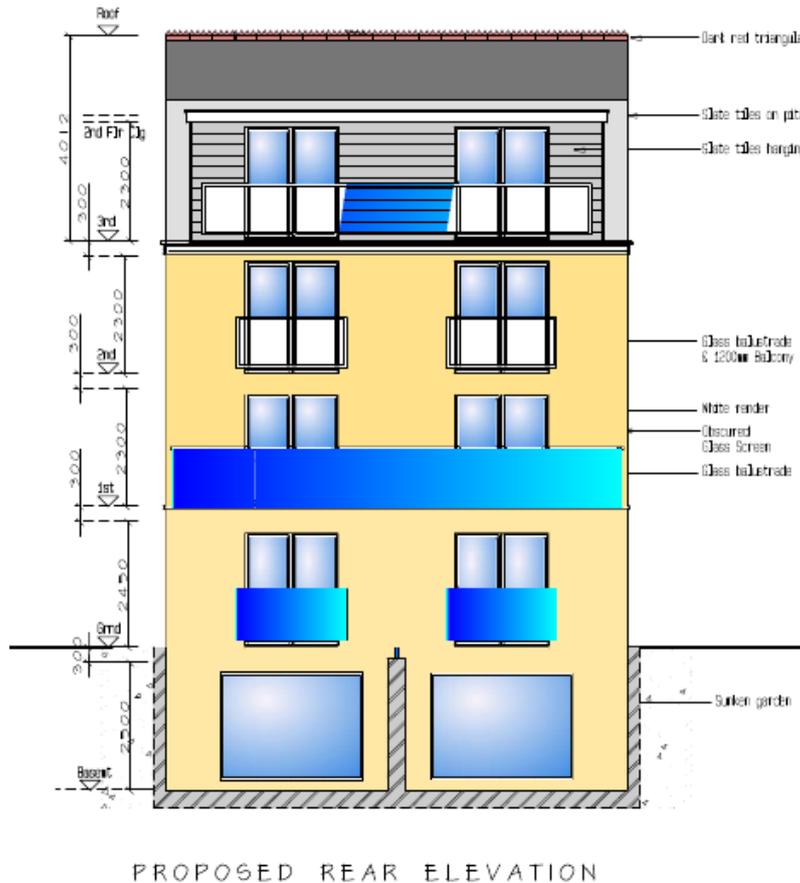


Proposed 3d image of development (2/8/21)



Revised proposed side elevation (2/8/21)

- 3.4 At the rear the proposal would provide a part one/two/three storey extension as well as a flat roofed dormer projection positioned largely above the second floor rear extension. At ground floor level the depth of projection would be approx. 6.8m. The first and second floor depth of projection would be approx. 5m.
- 3.5 A terrace is proposed to be provided above the flat roof of the ground floor projection, with projecting balconies provided at second floor level as well as a terrace between the rear elevation of the dormer projection and the main rear elevation of the first/second floor development below.



- 3.6 It is proposed to excavate a basement level which includes light wells beyond the rear of the ground floor extension. These lightwells would also serve as amenity space for the split level basement/ground floor flats and would measure approx. 6.3m in depth by 4.175m in width. The light wells would be approx. 2.5m deep, bisected by a solid wall with a privacy screen positioned above (overall depth of partition approx. 4.6m). The lightwell would also be screened from the cycle store and the parking manoeuvring area by a 1.1m high screen.
- 3.7 The site at present has a dropped kerb in front of the property as well as a dropped kerb leading to a passageway to the rear of the property. The boundary at this point between the flank elevation of the host building and the neighbouring property is

open. The submitted site plan indicates that this side passage is in the ownership of the applicant.

- 3.8 The revised drawing shows a separation of 3.074m to the boundary with No. 24 (on the other side of the access alley).
- 3.9 At the rear of the site it is proposed to provide three car parking spaces, refuse storage area and covered and lockable cycle storage.
- 3.10 In terms of the internal accommodation provided, the proposal would result in a total of 5 no. residential flats.
- 3.11 Flats 1 and 2 would be split level flats set over the ground and basement floors. They would each comprise one bedroom/two person units, with the basement providing a combined kitchen/living/dining room and the ground floor a double bedroom and large living room. The total GIA for the flats would be 78 sqm for Flat 1 and 92 sqm for flat 2, with the properties both accessed through the front entrance to the property.
- 3.12 At first floor and second floor levels it is proposed to provide 2 no. two bedroom/four person units, with an internal GIA of 96 sqm. The third floor flat would be a two bedroom/three person unit, with the bedrooms positioned to the front of the property and a GIA of 89 sqm. The first, second and third floor flats would all be accessed via the side passageway.
- 3.13 The front elevation would be faced by cream render with stone masonry markings at ground and first floor level, with London stock brick at second floor level, with the mansard roof extension faced in slate. It is proposed to provide stone masonry detailing to the ground, first and second floor windows. The rear elevation would be white rendered with the mansard and dormer faced with slate tile hanging. The flank elevations would be faced in a mix of white render and London stock bricks, with slate tile hanging to the rear and front dormers.

4. RELEVANT PLANNING HISTORY

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

02/00737/FULL1

Under reference 02/00737 planning permission was refused for the formation of a third floor to form a three bedroom flat, along with a single storey rear extension.

14/04420/FULL1

Planning permission was refused under reference 14/04420 for a three storey rear extension, two front dormer windows and the conversion of the building to form 5 flats.

15/03084/FULL1

Under reference 15/03084 planning permission was refused for elevational alterations and a part one/two storey rear extension with balconies, a rear dormer extension and the conversion of the building from 2 three bedroom flats to 2 one bedroom and 2 two bedroom flats (4 no. flats in total).

The grounds for refusal of planning permission were:

1. The proposal, by reason of its height, design and excessive depth, would appear as an overly bulky addition which would fail to respect the scale and appearance of the host building which would be detrimental to the character and appearance of the locality, thereby contrary to Policy BE1 of the Unitary Development Plan.
2. The proposal, by reason of its height, scale, proximity to the boundary and excessive depth of rearward projection would be detrimental to the amenities of the occupiers of adjacent dwellings, resulting in loss of outlook and visual impact, thereby contrary to Policies H7 and BE1 of the Unitary Development Plan.

A subsequent appeal against the Council's refusal of planning permission was dismissed. The Inspector identified the main issues as being the impact of the scheme on the character and appearance of the host building and the locality and the effect of the scheme on the living conditions of the occupiers of neighbouring dwellings with particular regard to visual impact and privacy.

The Inspector considered that the existing building and the site as a whole has a negative impact on the character and appearance of the locality. The introduction of roof slates was welcomed, but the use of render was considered on balance to result in the frontage of the altered dwelling having a neutral rather than positive impact on the character and appearance of the street scene. At the rear, the depth, materials and curved lines of the proposed upper floor element of the extension was considered to result in development that would be unduly bulky and which would have failed to respect the character and appearance of the host dwelling and the surrounding area. The depth, height and appearance were considered prominent within the rear garden environment and would have appeared as a discordant feature in longer views from Manor Grove and Bevington Road.

The Inspector concluded on this point that the identity of the resultant building would be confused and visually incongruous, materially detracting from the character and appearance of the existing building, the street scene and the rear garden environment. The harm was considered to outweigh the contribution that the two additional flats would make in providing housing to meet housing targets.

With regards to living conditions, the Inspector stated that the first floor element of the rear extension together with the vertical louvres which were intended to screen the balconies would have resulted in a dominant visual impact when viewed from the adjacent windows at No. 28 which serve a kitchen and dining room. The rear extension was considered to appear visually hard and incongruous, resulting in a strong sense of enclosure in the outlook from these rooms and it was also considered that there would be an associated loss of daylight and sunlight caused by the extension.

Despite the vertical louvres it was considered that the close proximity of the balcony serving the unit closest to No. 28, that the use of the balcony would have resulted in some loss of privacy. This in itself was not considered materially harmful to the living conditions of the occupier of No. 28, but added to the visually overbearing impact of the development.

The Inspector concluded on this point that the proposed scheme would unacceptably harm the living conditions of the occupier of No. 28 due to its overbearing visual impact.

16/04056/FULL1

Under reference 16/04056 planning permission was granted for a reduced development.

18/00998/FULL1

Under reference 18/00998 planning permission was granted for elevational alterations, part one/two storey rear extension incorporating first floor balcony. Raising of flank walls and roof by 1m. Rear dormer extension and conversion of resultant building into 2 one bedroom and 2 two bedroom flats with 4 car parking spaces at the front.

19/03229/FULL1

Under reference 19/03229 planning permission was refused for a scheme identical to that currently proposed in respect of external dimensions, bulk and scale. The previous scheme provided 2 flats on the ground floor in place of the currently proposed surgery and the site did not include the land to the rear of No. 24, with parking limited to three parking spaces at the rear of the site. Amenity space was proposed to be provided for the ground floor flats at the rear. With regards to the accommodation provided at first, second and third floors, this is replicated in the current proposal.

Planning permission was refused on the grounds:

1. The proposal by reason of its design, scale and height would appear as a bulky and disproportionate addition which would fail to respect the scale and the distinctive quality of the street scene, and which would be detrimental to the character and appearance of the locality and the visual amenities of the street scene and the area in general, thereby contrary to Policies 37, 4, 9 and 6 of the Bromley Local Plan and Policies 7.4 and 7.6 of the London Plan.
2. The proposal by reason of its height, scale and proximity to the boundary and the formation of vehicular parking and manoeuvring space at the rear of the property would be detrimental to the amenities of the occupiers of adjacent properties, resulting in an overdominant and intrusive visual impact and noise associated with the use of the side access and the parking area at the rear and by reason of the lack of adequate external amenity space would result in accommodation of an unsatisfactory standard of amenity for prospective occupiers, thereby contrary to Policies 4, 37 and 9 of the Bromley Local Plan and Policy 3.5 of the London Plan.

3. Insufficient information has been provided to demonstrate that the site layout including the parking area at the rear would be practicable, with adequate access to the rear parking facility and the capacity to provide adequate space for cycle and refuse storage facilities within the application site, in the absence of which the proposal would be contrary to Policies 4, 30 and 113 of the Bromley Local Plan.

5. CONSULTATION SUMMARY

A) Statutory

Highways – Objection

- The applicant should provide a swept path analysis demonstrating how the spaces at the rear can be accessed and addressing the width of the accessway to the side of the building. There is a pedestrian/vehicular conflict between the access road to the rear car parking area and the entrance to the flats – as a safety issue this should be addressed.
- Following the receipt of revised drawings, additional comments refer to the depth of the parking bays at the front being 4.5m – otherwise, nothing further to add to previous comments and recommendation in original Committee report.

Drainage – No comment

Trees – No objection

- The tree adjacent to the site is not protected and is not visible from the street.

Thames Water – No objection

- Informative recommended.

Metropolitan Police (Designing out Crime officer) - No objection

- Information on Secured by Design.

Environmental Health (Pollution)

- No objection. Conditions recommended including pre-commencement construction and environment management plan condition.

B) Local Groups

None commented.

C) Adjoining Occupiers

Support

- Existing building has no merit
- No objection to the reinstatement of the garages that once stood on the site – which were used for many years without issue when the property was owned by the correspondent, and which were only removed because they were structurally unsafe

Objections

Impact on neighbouring amenity (addressed at para. 7.4)

- Loss of privacy as a result of the addition of a third storey and balconies
- Planning permission previously refused on three occasions for the additional storey
- Existing noise issues associated with the existing flats. Proposal will increase noise and disturbance – with music and parties from any combination of 6 balconies being very intrusive
- The findings of the Daylight and Sunlight Study dated July 2019 are outdated and inaccurate, predating the latest plan which has increased the size of the proposed development
- No. 30 is south facing and the proposal, including a 3.5m projection, will result in loss of sunlight to the area close to the rear of that property

Impact on visual amenity (addressed at para. 7.3)

- The large increase in the building size to provide 5 flats is an overdevelopment of a cramped site
- The provision of a basement and new living space below ground level will set an unwelcome precedent
- While London stock brick and stone detailing is indicated, the proposed large areas of cream render are not in keeping with adjoining houses and will present maintenance problems in the future
- The design of the proposal would not complement surroundings
- While the existing building is ugly, the proposal is grossly oversized with a four storey aspect to the front – out of character with the rest of Manor Road
- The only significant change in the revised plans is the addition of bay windows at ground and first floor. This may improve the appearance of the building and provide a marginal increase in the area of the flats. It will reduce the size of the proposed parking to the front of the building. Previous concerns remain – regarding the over intensive residential development, provision of basement accommodation setting an unwelcome precedent.

Highways (addressed at para. 7.6)

- The access and space for turning appears very tight. A development at this density will increase the pressure on parking in Manor Grove and Downs Road which are just outside the controlled parking area
- The site is close to a busy junction and there are road safety and congestion issues with the increase in the number of vehicles entering and leaving the site
- Insufficient space for parking at the front without blocking neighbouring accesses.

Environmental Issues (addressed at para. 8.1.5)

- Loss of green space resulting from the extension and parking areas. Surface water run-off will create stress on flood water drainage
- There is currently shared drainage with Nos. 28, 30 and 32 which is sited in the proposed basement/sunken garden area. No details provided of how this would be dealt with
- Proposal will increase the production of waste water and there is no detail on the current drainage system's adequacy nor whether they are shared

Other matters (addressed at para. 8.1.5)

- Residents were not consulted prior to the application
- Formation of the basement is likely to need demolition of at least parts of the building

6. POLICIES AND GUIDANCE

National Policy Framework 2021

NPPG

The London Plan

GG2 Making the best use of land

GG4 Delivering the homes Londoners need

D3 Optimising site potential through the design-led approach

D4 Delivering good design

D6 Housing quality and standards

D7 Accessible housing

D14 Noise

H1 Increasing housing supply

H2 Small sites

SI13 Sustainable drainage

T5 Cycling

T6 Car parking

T6.1 Residential parking

Supplementary Guidance

Housing: Supplementary Planning Guidance. (March 2016)

Technical housing standards - Nationally Described Space Standard (March 2015)

SPG1 General Design Principles

SPG2 Residential Design Guidance

National Design Guide - (September 2019)

Bromley Local Plan 2019

1 Housing Supply

3 Backland and Garden Land Development

4 Housing Design

6 Residential Extensions

8 Side space

9 Residential Conversions

30 Parking

32 Road Safety

33 Access for All

37 General Design of Development

113 Waste Management in New Development

116 Sustainable Urban Drainage Systems

119 Noise Pollution

121 Ventilation and Odour Control

122 Light Pollution

Bromley Supplementary Guidance

SPG1 – General Design Principles

7. ASSESSMENT

7.1 Resubmission

7.1.1 The site has a lengthy planning history which is summarised in Section 4 above.

7.1.2 Most recently, under reference 19/03229/FULL1, planning permission was refused for “Raising of flank walls and roof ridge line by 3.69m to create additional storey, part one/three storey rear extension incorporating first floor balcony, rear dormer extension, elevational alterations, and conversion of resulting building into 2 one bedroom flats and 3 two bedroom flats with 3 parking spaces at the front and 3 car parking spaces at the rear.”

7.1.3 The grounds for refusal were:

1. The proposal by reason of its design, scale and height would appear as a bulky and disproportionate addition which would fail to respect the scale and the distinctive quality of the street scene, and which would be detrimental to the character and appearance of the locality and the visual amenities of the street scene and the area

in general, thereby contrary to Policies 37, 4, 9 and 6 of the Bromley Local Plan and Policies 7.4 and 7.6 of the London Plan.

2. The proposal by reason of its height, scale and proximity to the boundary and the formation of vehicular parking and manoeuvring space at the rear of the property would be detrimental to the amenities of the occupiers of adjacent properties, resulting in an overdominant and intrusive visual impact and noise associated with the use of the side access and the parking area at the rear and by reason of the lack of adequate external amenity space would result in accommodation of an unsatisfactory standard of amenity for prospective occupiers, thereby contrary to Policies 4, 37 and 9 of the Bromley Local Plan and Policy 3.5 of the London Plan.
3. Insufficient information has been provided to demonstrate that the site layout including the parking area at the rear would be practicable, with adequate access to the rear parking facility and the capacity to provide adequate space for cycle and refuse storage facilities within the application site, in the absence of which the proposal would be contrary to Policies 4, 30 and 113 of the Bromley Local Plan.

7.1.4 A further application was submitted under reference 20/02011/FULL1 but was withdrawn prior to determination and does not therefore represent site history relevant to the assessment of this current proposal.

7.1.5 The main differences between the current proposal and the previous scheme (19/03229) are summarised:

- Amended design and massing, inclusion of mansard roof
- Height of building at ridgeline relative to neighbouring properties increased
- Five storeys of development proposed rather than the four previously proposed
- Front dormers within mansard in place of previously proposed rooflights
- Inclusion of basement level
- First floor rear balcony for full width of rear elevation
- Terrace at mansard/dormer level
- Projecting balconies proposed at second floor level
- Refuse store indicated adjacent to flank/rear boundary of the site
- Cycle store indicated on submitted drawing
- Drawing as originally submitted annotated with previously demolished garage

As previously stated, the design of the front elevation of the development has been amended through the submission of revised drawings on 2/8/21 – including the narrowing of the footprint to result in an increase in the width of the side access. In respect of the above bullet points, the main differences between the refused scheme under reference 19/03229 and the current (amended) proposal remain as set out above.

7.2 Principle of development

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.

- 7.2.3 The NPPF (2021) sets out 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.
- 7.2.4 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.
- 7.2.5 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.
- 7.2.6 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.
- 7.2.7 The site is located in a residential location where the Council will consider further residential development provided that it is designed to complement the character of surrounding developments, the design and layout make suitable residential accommodation, and it provides for garden and amenity space. Any adverse impact on neighbouring amenity, conservation and historic issues, biodiversity or open space will need to be addressed.
- 7.2.8 This application includes the provision of 3 additional flats over and above the existing housing provision at the site, 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.

7.2.9 The principle of residential extensions to the host building and an increased intensity of residential use has been established through the granting of planning permission under references 16/04056/FULL1 and 18/00998/FULL1. In the assessment of this proposal it falls to consider the specific scope of this particular proposal in the context of the planning history of the site, including the most recent refusal under reference 19/03229/FULL1, where planning permission was refused not on the principle of development, but on grounds relating to the impact of the proposals on visual and residential amenity as well as on there being insufficient information to demonstrate the practicability of the rear parking area and the provision of adequate cycle and refuse storage areas.

7.3 Design, Layout and Scale – Unacceptable

7.3.1 Design is a key consideration in the planning process. Good design is an important aspect of sustainable development, is indivisible from good planning, and development should contribute positively to making places better for people.

7.3.2 Paragraph 125 of the NPPF (2021) states that the creation of high quality, beautiful and sustainable 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.

7.3.3 Paragraph 129 of the NPPF (2021) 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.

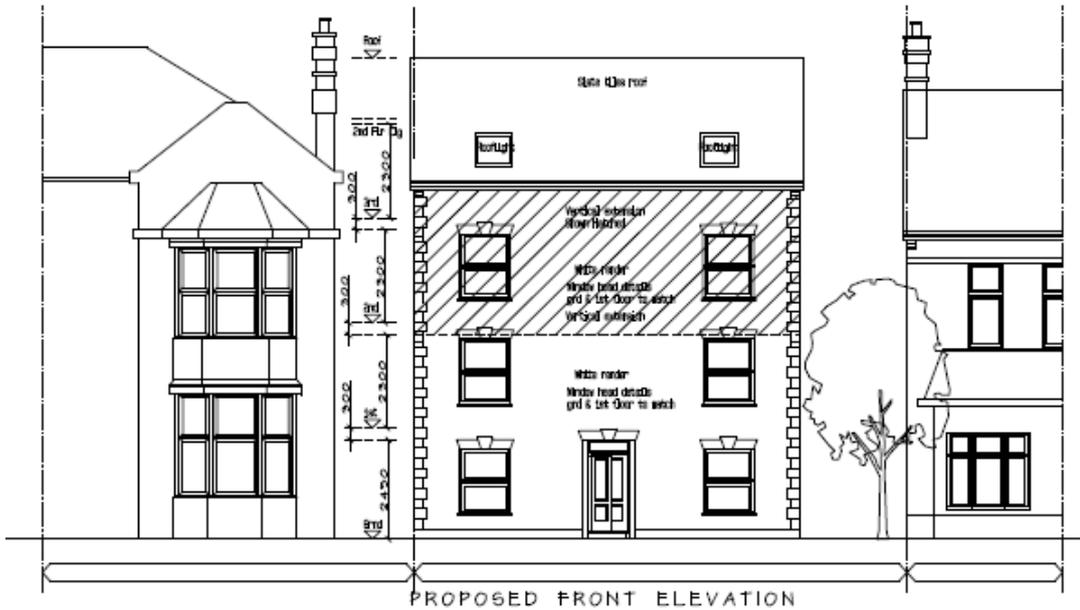
7.3.5 London Plan and Bromley Local Plan (BLP) policies further reinforce the principles of the NPPF setting out a clear rationale for high quality design.

7.3.6 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,

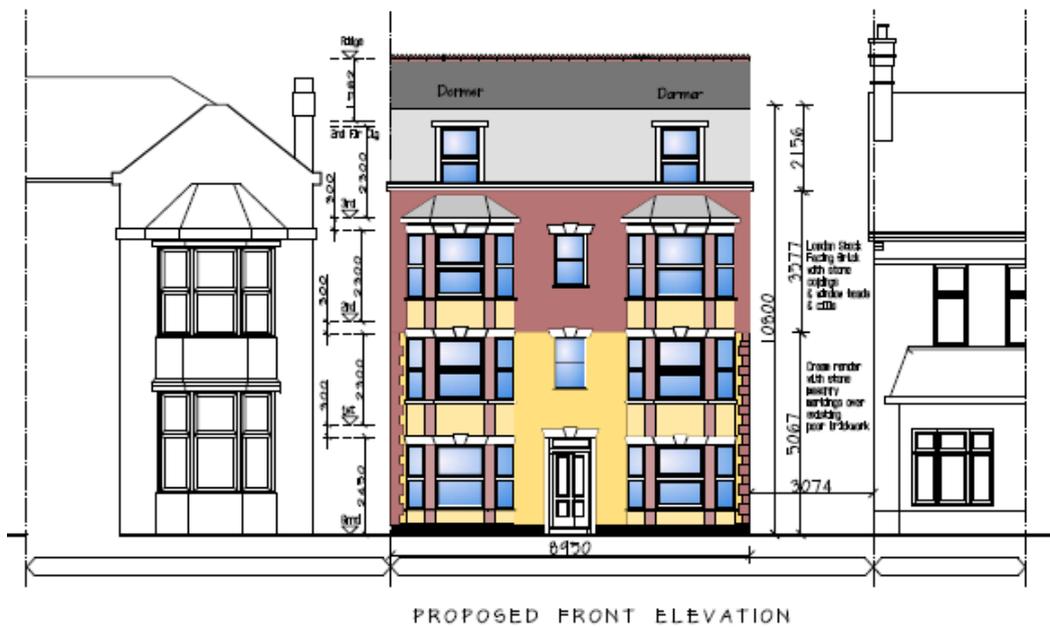
appearance and shape. The quality and character shall respond to the existing character of a place by identifying the special and valued features and characteristics that are unique to the locality and respect, enhance and utilise the heritage assets and architectural features that contribute towards the local character.

- 7.3.7 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.
- 7.3.8 Policy D5 of the London Plan relates to 'Inclusive Design' and states that development proposal should achieve the highest standards of accessible and inclusive design.
- 7.3.9 Policy H2 of the London Plan states that Boroughs should also recognise in their Development Plans that local character evolves over time and will need to change in appropriate locations to accommodate additional housing on small sites.
- 7.3.10 Policy 4 of the Local Plan details that all new housing developments will need to achieve a high standard of design and layout whilst enhancing the quality of local places respecting local character, spatial standards, physical context and density. To summarise the Council will expect all of the following requirements to be demonstrated: The site layout, buildings and space around buildings be designed to a high quality, recognising as well as complimenting the qualities of the surrounding areas; compliance to minimum internal space standards for dwellings; provision of sufficient external, private amenity space; provision of play space, provision of parking integrated within the overall design of the development; density that has regard to the London Plan density matrix whilst respecting local character; layout giving priority to pedestrians and cyclists over vehicles; safety and security measures included in the design and layout of buildings; be accessible and adaptable dwellings.
- 7.3.11 Policy 8 of the Local Plan details that when considering applications for new residential development, including extensions, the Council will normally require 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.
- 7.3.12 Policy 37 of the Local Plan details that all development proposals, including extensions to existing buildings, will be expected to be of a high standard of design and layout. To summarise developments will be expected to meet all of the following criteria where they are relevant; be imaginative and attractive to look at, of a good architectural quality and should complement the scale, proportion, form, layout and materials of adjacent buildings and areas; positively contribute to the existing street scene and/or landscape and respect important views, heritage assets, skylines, landmarks or landscape features; create attractive settings; allow for adequate daylight and sunlight to penetrate in and between buildings; respect the amenity of occupiers of neighbouring buildings and those of future occupants;

be of a sustainable design and construction; accessible to all; secure; include; suitable waste and refuse facilities and respect non designated heritage assets.



Planning permission refused 19/03229/FULL1



Revised front elevation (2/8/21)

7.3.13 The proposed development would significantly enlarge the host building. In upwardly extending the property while maintaining its width when viewed from front

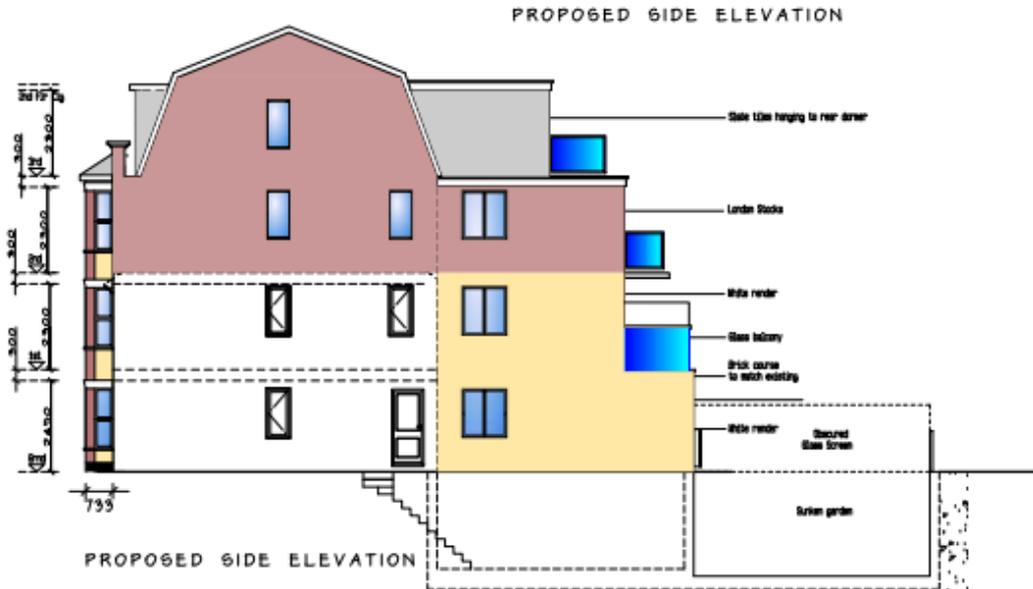
and rear the proposal would result in a somewhat disproportionate and visually unsatisfactory appearance, with the height of the building appearing excessive in the context of the width of the property, which has now been further reduced in order to provide increased width to the side access to the parking spaces at the rear.

7.3.14 The proportions and positions of the windows, including the front facing dormer windows, would result in a visibly four storey appearance from the front which would contrast unfavourably with the neighbouring Victorian buildings which share a recognisable two storey appearance incorporating design detailing that contributes positively to the visual amenities of the street scene. The height and massing of the development would obscure the existing visibility of the articulation of the flank elevation of the neighbouring building at No. 28.

7.3.15 While there are limited examples of front dormers within the street scene, these are not characteristic of the development at roof level in the locality, and are generally set well within the reasonably uniform pitch of the front roof slopes. In contrast, the proposed dormers in tandem with the mansard and parapet would result in a top heavy and overbearing appearance to the development.

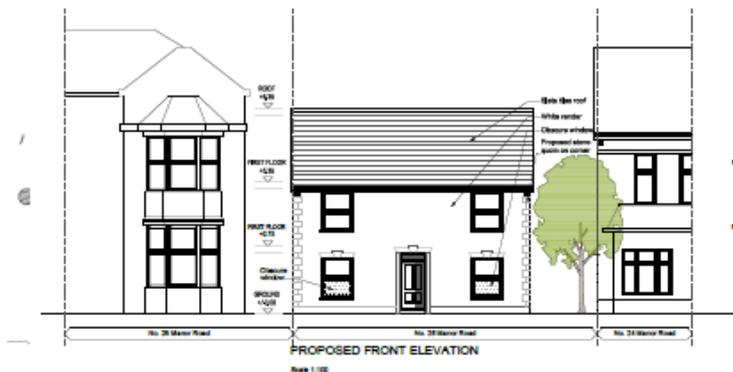


Side elevation refused 19/03229/FULL1



Current proposed side elevation

7.3.16 Under reference 15/03084 planning permission was refused and dismissed on appeal for a less visually dominant development (when viewed from the front):



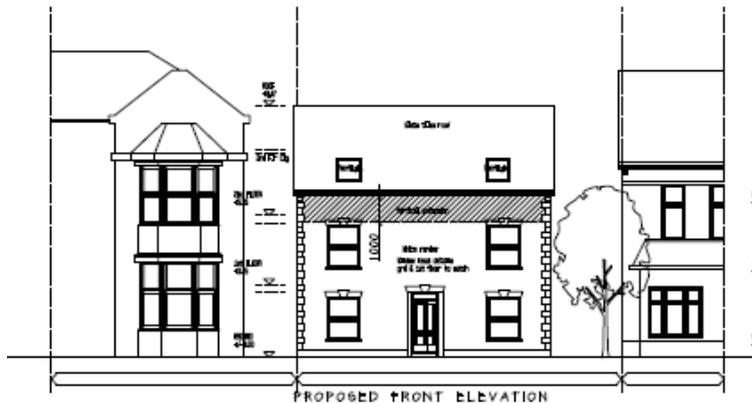
Dismissed at appeal under reference 15/03084

7.3.17 In dismissing the appeal, the Inspector noted with regards to the front elevation that:

“With the proposal the front elevation of the building would be white painted rendered which would increase the prominence of the building within the street scene. The proposed replacement windows and large expanse of render above the central door would result in the front elevation being plain, with strong and uncharacteristic horizontal lines. In addition, due to their size, proportions and

detailing the proposed windows would fail to respect the proportions, size and detailing of the proposed central door.”

7.3.18 Under reference 18/00998 planning permission was granted for an amended scheme that while increasing the height of the building, did not extend upwards to the height currently proposed, with only front rooflights indicating the second (roof) storey of accommodation from the front.

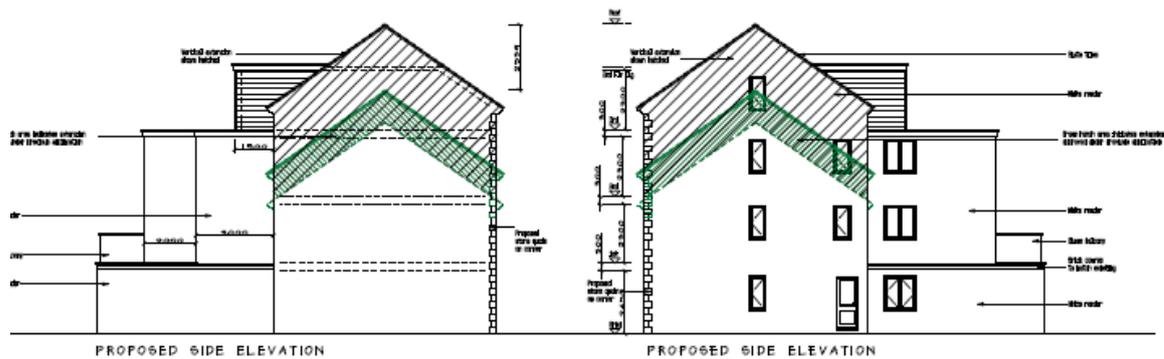


Granted planning permission under 18/00998

7.3.19 It is considered that the proposed development would appear bulky and obtrusive from the street scene and that the current proposal does not in terms of the external design of the development address the grounds for refusal of the most recent application under reference 19/03229/FULL1. While the proposal replaces the previously proposed dual pitched roof with parallel ridgeline with a mansard roof with front dormers, this does not reduce the overall bulk of the proposed development and in fact introduces two front facing third floor dormer windows in place of the rooflights previously proposed. As such the accommodation at third floor/fourth storey level is more readily appreciable from the front than the previous proposal. This results in development uncharacteristic of the surroundings, including the immediately neighbouring properties to either side.

7.3.20 From the side and rear the proposed extensions would appear disproportionate in the context of the host building, leading to an unattractive and excessively high appearance to the side elevations with the scale of the development emphasised by the fenestration which would signal the four storey development which is uncharacteristic of the scale of development in the locality.

7.3.21 The design of the development would include flat roofed rear extensions and a boxy dormer which were considered acceptable at a lower height than currently proposed (18/00998), but in the context of the increased height and scale of the currently proposed extension would emphasise the disproportionate appearance of the extensions in relation to the host and neighbouring buildings.



Flank elevations refused 19/03229/FULL1

7.3.22 The ridge height of the current proposal exceeds that of the neighbouring dwellings at Nos. 24 and 28, in contrast to the previous proposal where the ridge height was set lower than that of the neighbouring properties. As scaled from the submitted drawings the ridge height would be approx. 0.5m higher than the neighbouring dwelling at No. 28, where the ridgeline is offset from the boundary as the property at No. 28 has a hipped roof to the side. The proposed ridgeline would be approx. 0.8m higher than the ridgeline to No. 24 which has a gable ended roof profile immediately adjacent to the boundary.

7.3.23 The height of the resultant building would exceed appreciably at ridge height the neighbouring dwellings at Nos. 24 and 28 and would incorporate a bulky and visually obtrusive, uncharacteristic mansard element with front facing dormers. Taking into account the boxy design and the clearly evident four storey appearance of the building it is considered that the height and form of the resultant building would be out of character with the street scene and would represent a jarring feature detrimental to the visual amenities of the area.

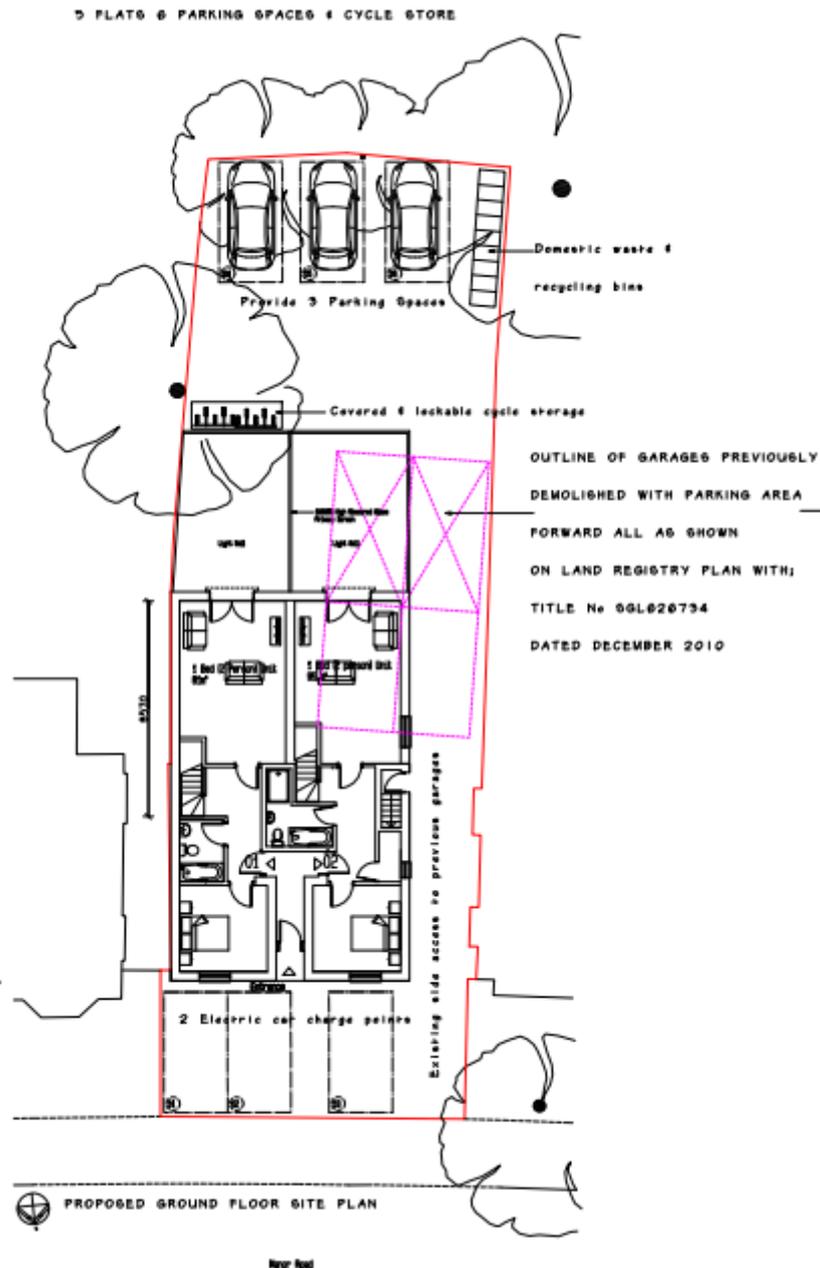
7.3.24 The space to the side boundaries of the site in the context of the significant height of the building and the barn/gable ended roof design would result in a cramped appearance particularly in relation to the eastern boundary with No. 28. The overall height and design of the building in the context of the width of the site would result in a cramped appearance.

7.3.25 The proposal would result in a large area hardstanding to the rear of the site which would be at odds with the prevailing pattern of development in the locality, which is characterised by frontage buildings enclosing amenity enclaves and open space at the rear, leading to a level of quiet and greenness at the back of the road-fronting buildings. The proposal would result in a disproportionate and uncharacteristic amount of the site being covered by buildings and hard surfaces, with the overall impression from the sides/rear of the development being of uncharacteristically intensive development in the context of the site's size and location.

7.3.26 Policy 3 Backland and Garden Land Development of the BLP states that new residential development will only be considered acceptable on backland or garden land if there is no unacceptable impact on the character, appearance and context of

an area in relation to the scale, design and density of development, alongside there being no unacceptable loss of landscaping, play space or amenity space. Furthermore, there should be no unacceptable impact on the residential amenity of future or existing occupiers associated with loss of privacy, sunlight, daylight and disturbance from additional traffic. A high standard of separation and landscaping must be provided.

7.3.27 As can be seen in the site plan, there would be limited prospect of landscaping around the development to soften its appearance, and the entirety of the site at the rear would be given over to building/lightwell/hardstanding which would not be characteristic of the context of the area.



Site plan (part superseded)

7.3.28 The revised drawings show the provision of feature bay windows to the front at ground, first and second floor level along with windows in the centre of the front elevation. While this amendment marginally improves the appearance of the building by providing some visual relief/articulation within the front elevation, it is not considered that this limited alteration overcomes the concern regarding the scale, bulk and massing of the building in relation to previous proposals and the visual amenities of the street scene.

7.3.29 As previously stated, the existing site is surrounded by hoardings and the rear of the property has been allowed to become overgrown as well as there being past storage of materials and refuse on the land at the rear. It is not considered that the neglect of the site represents strong grounds to warrant the erection of a replacement building of the scale, bulk and massing proposed, including as it does substantial hardstanding at the rear of the site which is wholly uncharacteristic of the pattern of development in the locality.

7.4 Neighbourhood Amenity - Unacceptable

7.4.1 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.

7.4.2 The application has been accompanied by a daylight/sunlight study which was undertaken in August 2016, and updated in July 2019 and is not directly informed by the current application drawings. The figures provided within the assessment indicate that the assessment was based upon a stepped rear elevation, rather than the flat rear elevation currently proposed.

7.4.3 Assessment of the impact of the proposal on residential amenity is not limited to the technical calculation of the impact of the development in relation to daylight and sunlight but also takes into account the impact of proposals in relation to outlook, visual impact and noise and disturbance.

7.4.4 It does not appear that the existing flats have any vehicular access via the side passage to the rear amenity space which is/was laid out in gardens perpendicular to the rear elevation of the host building. The application refused under reference 14/04420 did not show any existing parking at the rear of the property and that application was refused on grounds including the hardstanding at the rear of the garden area being detrimental to adjacent amenities, as was the application under reference 19/03229/FULL1.

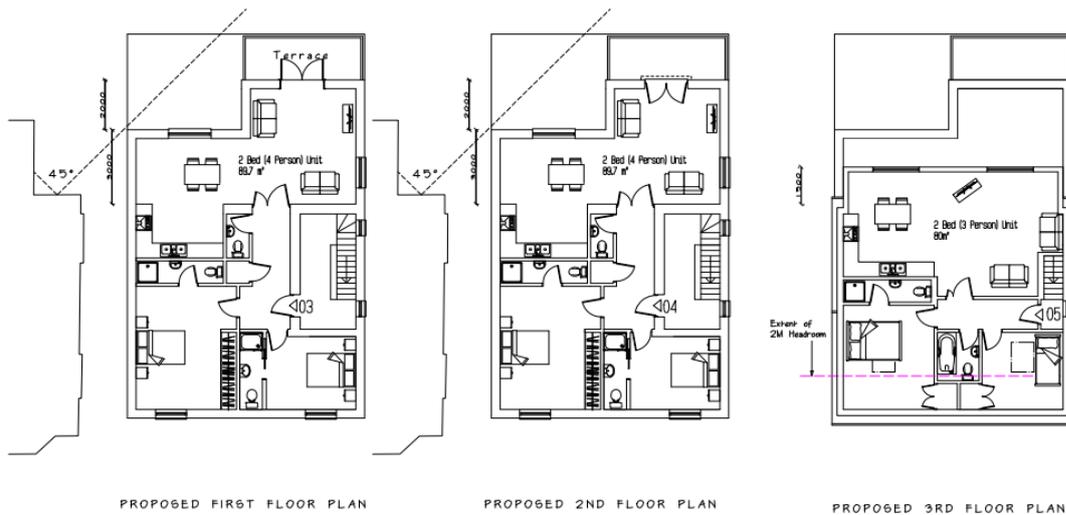
7.4.5 This current application seeks to support parking provision at the rear of the property through indicating that at one point the property had a double garage to the side/rear of the main building. The supporting comment received in response to the neighbour notification suggests that at one point this was the case, although aerial photographs of the application site indicate that the garages had been demolished by 2013. In any case, these residential garages appear to have been

attached to the use of No. 26 and historic records indicate that planning permission was granted in 1965 (65/1560) for a garage at No. 26A. The use of the access would therefore at most have related to two dwellings, with the parking contained (according to this application submission) to the immediate side/rear of the host property rather than at the end of the garden.

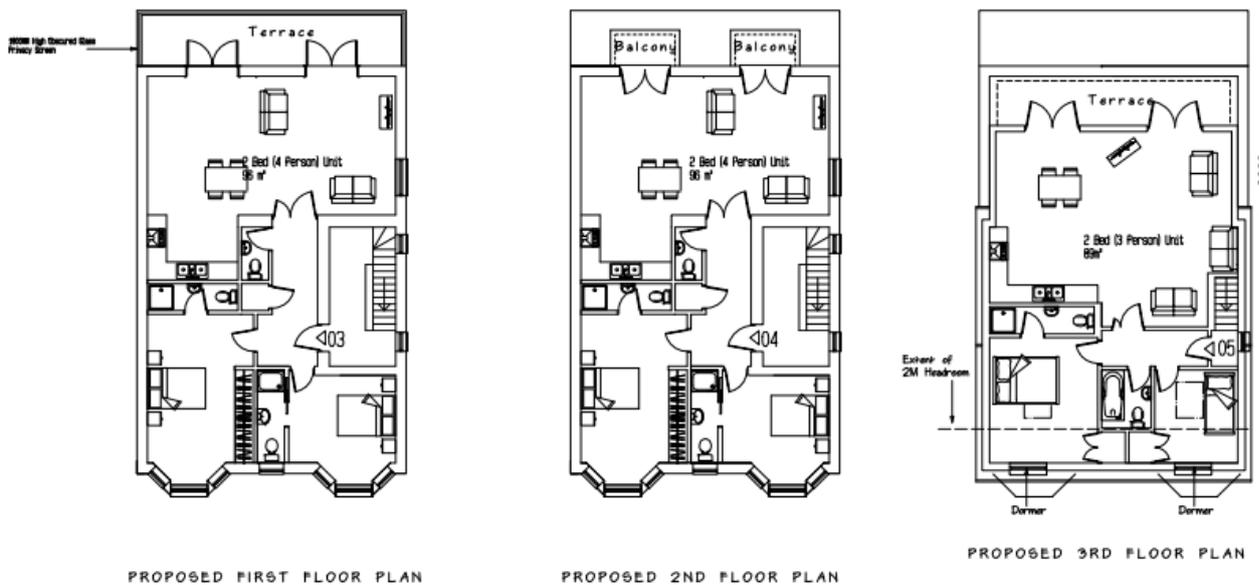


Aerial view of application site

- 7.4.6 This current proposal would have an increased impact on neighbouring amenity in comparison with the previously approved schemes.
- 7.4.7 The proposal would introduce an intensive use of the side access and the newly formed and extensive rear car park/manoeuvring space. This would result in an unacceptable increase in noise and disturbance in close proximity to neighbouring residential gardens.
- 7.4.8 It is considered that the intensive use of the side access would be detrimental to the amenities of neighbouring properties as a consequence of the comings and goings of vehicles and noise generally relating to car doors slamming and the manoeuvring of vehicles. It is clear that whatever vehicular use of the side access existed ceased some time ago, and in any case the proposal would comprise an intensification of the use of the site which would lead to an increased use of the side access, with this undermining the quiet enjoyment of the neighbouring rear gardens.
- 7.4.9 With regards to the visual impact of the development, it is considered that the increased height of the rear extensions on the boundary with the neighbouring property at No. 28 would result in an overdominant impact, with the height and bulk of the extensions appearing unduly dominant and visually intrusive when viewed from the rear of the neighbouring properties.



First, second and third floor plans refused 19/03229 (includes 45 degree angle to neighbouring property)



First, second and third floor plans currently proposed (3/8/21)

7.4.10 While it is acknowledged that the neighbouring buildings are set to the rear of the application building at present and in the case of No. 24, has been subject to extensions, the proposed rear extension would project to the rear at three storey height (with the rear dormer set partially above this projection) rather than the two storey height found to be acceptable under reference 18/00998 and without the stepped rear elevation refused planning permission under reference 19/03229.

7.4.11 As a result of the increased scale and height of the development it is considered that the extended (upwards and rearwards) flank elevations would be overdominant and visually intrusive when viewed from the neighbouring properties. Where the refused scheme under 19/03229 included within the floorplans indication of the relationship between the projection of the rear development relative to No. 28, the current floorplans do not show this relationship. However, the proposal would result in an increased depth of development relative to this neighbouring property, set over 4 floors above ground level as well as rear balconies. Taking into account the increased depth of the development it is considered that the proposal would appear overdominant visually when viewed from the rear garden at No. 28 as well as in relation to the recessed windows within the rear elevation of that property close to the boundary.



Application property from No. 28 (2016)

7.4.12 The proposal includes the provision of amenity balconies at first second and third floors, all of which would project to the rear of the associated rear elevation. Where the first floor balcony adjacent to No. 28 is indicated to have an obscure glazed screen, no such provision is indicated on the submitted drawing in relation to the first floor balcony adjacent to No. 24, nor to the second and third floor balconies. While it is acknowledged that the neighbouring rear garden appears overgrown at present (No. 24) it still represents a valuable space with potential to provide quality amenity space for the neighbouring property. The proposed balconies would introduce a more intensive potential for overlooking of the neighbouring sites, and it is unclear within the scope of the application as to how much of the side landscaping screening would be capable of being retained in conjunction with the extent of excavation for the lightwells and the provision of hardstanding for parking and manoeuvring.

7.4.13 The existing rear garden with the exception of the light well amenity space associated with the split level basement/ground floor flats would be otherwise laid to hardstanding associated with the rear car park and there would be no ground

level external amenity space. As such, the proposed balconies/terraces are likely to provide a valuable source of external amenity space particularly at first and second floor level where these amenity spaces would serve 2 bedroom/4 person flats more likely to provide family accommodation.

7.4.14 The use of the rear terraces/balconies would introduce greater prospect of overlooking and associated loss of privacy along with increased noise and disturbance, particularly in relation to the impact on the rear garden of the neighbouring property at No. 24.

7.5 Standard of outlook and amenity for future occupiers - Acceptable

7.5.1 The application granted planning permission under reference 18/00998/FULL1 included provision within the rear garden of 2 private amenity areas for the ground floor flats along with access from the side door to the rear retained communal garden for the flats on the first and second floors. The first floor flat also had a private terrace (as is currently proposed) and the second floor flat would have had access (albeit indirect) to and use of the communal garden. The current proposal in contrast dedicates the rear garden space in its entirety to parking associated with the flats.

7.5.2 On balance, taking into account the internal floor area of the proposed flats along with the provision of private balconies/terrace/lightwells it is considered that the proposed flats would provide accommodation of an acceptable standard of outlook and amenity for future occupiers.

7.6 Highways - Unacceptable

7.6.1 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 cumulative impacts of development are severe.

7.6.2 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.

7.6.3 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 the Bromley Local Plan should be used as a basis for assessment.

7.6.4 The current proposal includes the provision of 3 no. parking spaces to the rear of the building. These spaces would be accessed via a side passageway which measures (as annotated on the submitted revised proposed front elevation) 3.074m in width. The boundary with the neighbouring property at No. 26 is not

uniformly wide, and as plotted on the site plan, the neighbouring property has projecting chimney breasts. The parking layout shows the provision of 3 spaces at the front of the property, which have reduced in depth following the revision of the drawing to include the projecting front bay windows, to approx. 4.3m in length as scaled from the submitted drawing which falls short of the 4.5m stated minimum distance within the Council's document "Provision of footway crossovers: Policy and Guidelines."



Vehicular access to side of site

7.6.5 Limited information has been provided to demonstrate that the rear parking area is readily accessible by car or that the manoeuvring space at the rear would be sufficient to enable access to all the spaces as laid out on the drawings. The proposed entrance to the upper flats would open directly on to this side passageway and in view of the limited width of the alley it is considered that this could result in a conflict between the pedestrian and vehicular comings and goings associated with the upper flats. This was similarly the case in the most recent refused scheme.



Vehicular access to side of site – No. 24 on right

- 7.6.6 The access to the side is narrow and vehicles entering the rear car park and existing the facility would have no meaningful space for waiting before making the manoeuvre, leading to potential conflict between exiting and entering cars, in tandem with the residential access to the upper floors. No detailed information has been provided regarding how the parking spaces would be allocated nor regarding provision for disabled car parking, which in view of the ground floor layout and the width of pedestrian access to the building would appear likely to need to be at the front of the site, closest however to the split level ground/basement floor flats.
- 7.6.7 As submitted, the application form refers to there being 6 car parking spaces, and the application refers to garaging at the rear. Historic records indicate that planning permission was granted in 1965 for a garage at 26A. The use of the access would therefore at most have related to two dwellings, with the parking contained (according to this application submission) to the immediate side/rear of the host property rather than at the end of the garden. The garage is no longer in situ and appears to have been demolished at least by 2013. At present car parking associated with the maisonettes is provided on the hardstanding to the front of the building.

8. CONCLUSION

- 8.1 It is considered that the design, scale and appearance of the proposed development would be detrimental to visual amenity and the quality of the street scene, appearing as a bulky and disproportionate addition and resulting in a jarring appearance in the context of the neighbouring buildings. While it is noted that the existing building is itself not representative of the prevailing character of the buildings within the immediate locality of the application site, this is not considered to justify the scale and bulk of the proposals, in particular the readily appreciable third storey of development and the height of the building.
- 8.2 On the basis of the application submission, which includes the provision of rear parking to serve the flatted conversion/extension, it is considered that insufficient

information has been provided (taking into account the narrowness of the space to the side of the building and the number of spaces to the rear) to confirm that the rear parking would be readily and safely accessible and that there is sufficient manoeuvring space to the rear.

- 8.3 The proposal would result in a significant increase in the height and depth of the building close to the boundary with the neighbouring residential properties and in view of the design and scale of the development it is considered that the extensions would appear as over-dominant and visually intrusive additions when viewed from neighbouring properties. The formation and use of a rear parking area access along the narrow side track would result in an unacceptable increase in the noise and disturbance to neighbouring residential gardens and this would be uncharacteristic of the layout of development in the locality and would impact detrimentally on the quiet enjoyment of the neighbouring properties. The parking provision at the rear replaces any external ground level amenity space and as a consequence the flats would be served in the most part by projecting rear terraces/balconies which as the only amenity space for the flats would be anticipated to be well-used. This would be likely to lead to loss of privacy and potential noise and disturbance occasioned by the use of the terraces in context with the intensity of the residential use of the site, which would be detrimental to neighbouring amenity and uncharacteristic of the surrounding residential environment.
- 8.4 It is acknowledged that the proposal would result in an increase in the number of units provided on site from 2 to 5. Planning permission was granted under 18/00988 for the extension and conversion of the property to provide a total of 4 residential flats. While the additional residential unit(s) (1 no. flat more than the approved scheme, 3 more than as existing) would contribute to local housing supply, it is not considered that this increase would outweigh the material harms identified above in respect of the impact of the development on the visual and residential amenities of the area.
- 8.5 It is noted that neighbouring residents have expressed concern regarding the impact of the proposal with regards to drainage, including shared drainage and the impact of the proposed excavation for lightwells. Concern has also been expressed regarding the precedent which may be set through the formation of basement accommodation. With regards to the former point it is noted that the Drainage Engineer did not raise any comments or objections regarding the proposal, and if permitted it would be appropriate to impose a planning condition requiring the submission and approval of such details prior to the commencement of the development. With regards to the latter point, while this report expresses concern regarding the overall scale of the development and the five storey appearance of accommodation viewed from the rear, it is a fundamental principle that each case be considered on its merits in relation to the site and the scope of the application. As such, the setting of a planning precedent would not represent a reasonable ground for refusal.
- 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: REFUSAL

REASONS FOR REFUSAL:

- 1. The proposal by reason of its design, scale and height would appear as a bulky and disproportionate addition which would fail to respect the scale and the distinctive quality of the street scene, and which would be detrimental to the character and appearance of the locality, the visual amenities of the street scene and the area in general, thereby contrary to Policies 37, 4, 9 and 6 of the Bromley Local Plan and Policy D3 of the London Plan.**
- 2. The proposal by reason of its height, scale and proximity to the boundary, along with elevated rear balconies and the formation of vehicular parking and manoeuvring space at the rear of the property would be detrimental to the amenities of the occupiers of adjacent properties, resulting in an overdominant and intrusive visual impact, noise and disturbance associated with the use of the balconies, side access and the parking area at the rear thereby contrary to Policies 4, 37 and 9 of the Bromley Local Plan.**
- 3. Insufficient information has been provided to demonstrate that the site layout including the parking area at the rear would be practicable, with adequate access to the rear parking facility and satisfactory space for manoeuvring, and the conflict between side pedestrian access to the proposed flats and the access road has not been addressed, in the absence of which the proposal would be contrary to Policies 4, 30 and 32 of the Bromley Local Plan.**