

Committee Date	14.10.2021	
Address	25 Grove Vale Chislehurst BR7 5DS	
Application Number	21/02235/FULL6	Officer - Jennie Harrison
Ward	Chislehurst	
Proposal	Part one/two storey rear and first floor side extensions, loft conversion incorporating dormer to rear and rooflights to all elevations including cabrio rooflight to rear and elevational alterations. PART RETROSPECTIVE	
Applicant	Agent	
Mr Yavuz	Mr Turan Karamanoglu	
25 Grove Vale Chislehurst BR7 5DS	Unit D Broomsleigh Business Park Worsley Bridge Road Sydenham SE26 5BN	
Reason for referral to committee	Enforcement history	Councillor call in
		No

RECOMMENDATION	Application permitted
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<p>KEY DESIGNATIONS</p> <p>Biggin Hill Safeguarding Area London City Airport Safeguarding TPO Smoke Control SCA 16</p>
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Land use Details		
	Use Class or Use description	Floor space (GIA SQM)
Pre-existing	C3	155.6
Existing	C3	223.4
Proposed	C3 (no change proposed)	275

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

Electric car charging points	0
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Representation summary	Neighbour letters issued –01.07.2021	
Total number of responses	10	
Number in support	3	
Number of objections	7	

1. SUMMARY OF KEY REASONS FOR RECOMMENDATION

- The proposed development would not cause any significant harm to the character and appearance of the host dwelling or street scene
- Additional accommodation in the roof would not cause any significant harm to neighbouring amenity.

2. LOCATION

2.1 The application site hosts a two storey detached dwelling on the South Eastern side of Grove Vale, Chislehurst. The rear garden adjoins properties in Selby Close and there is a blanket TPO in place at the rear of the garden.

2.2 Site Location Plan:



3. PROPOSAL

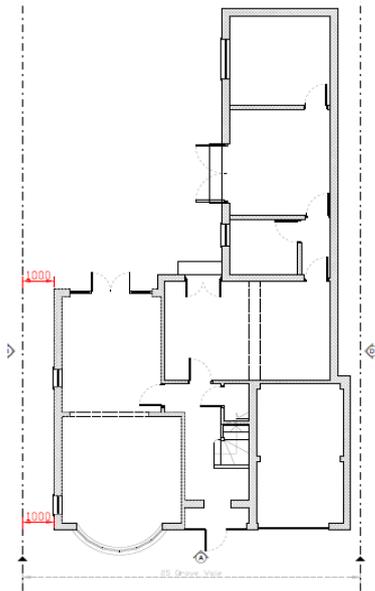
3.1 The application seeks part retrospective permission for, single storey front, first floor side and part one/two storey rear extensions, loft conversion incorporating dormer to rear and rooflights to all elevations and elevational alterations.

3.1.1 The differences between the previously approved application and the retrospective alterations can be summarised as follows:

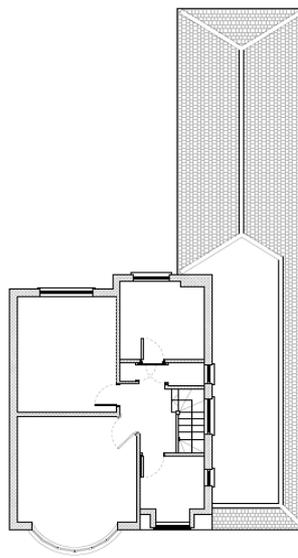
- A single storey front extension
- A first floor side extension; including an additional obscure glazed side window
- A larger section of flat roof in the main roof
- A different style of rooflight in the single storey rear extension
- An altered design of roof at the side at ground floor level, providing a pitched roof at the side
- Standard window to the rear first floor to replace Juliet balcony
- French doors to the rear ground floor to replace a window

3.1. The extensions to the dwelling are all retrospective whilst the proposal for the loft conversion has not yet been constructed.

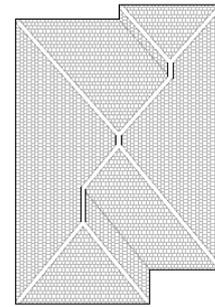
3.2 Pre-existing plans and elevations



PREVIOUS EXISTING GROUND FLOOR PLAN
Scale @ 1/100



PREVIOUS EXISTING FIRST FLOOR PLAN
Scale @ 1/100



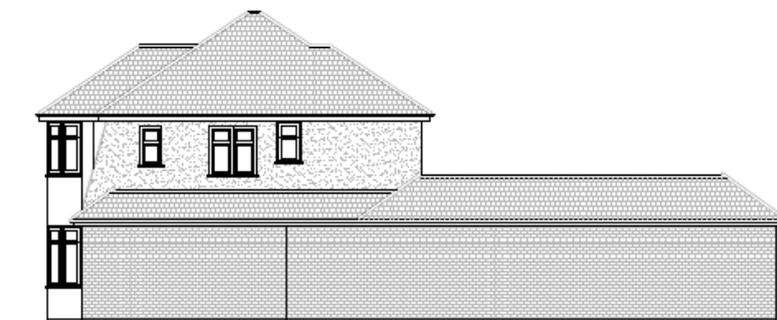
PREVIOUS EXISTING ROOF PLAN
Scale @ 1/100



PREVIOUS EXISTING SIDE ELEVATION
NORTH EAST
Scale @ 1/100



PREVIOUS EXISTING FRONT ELEVATION
Scale @ 1/100

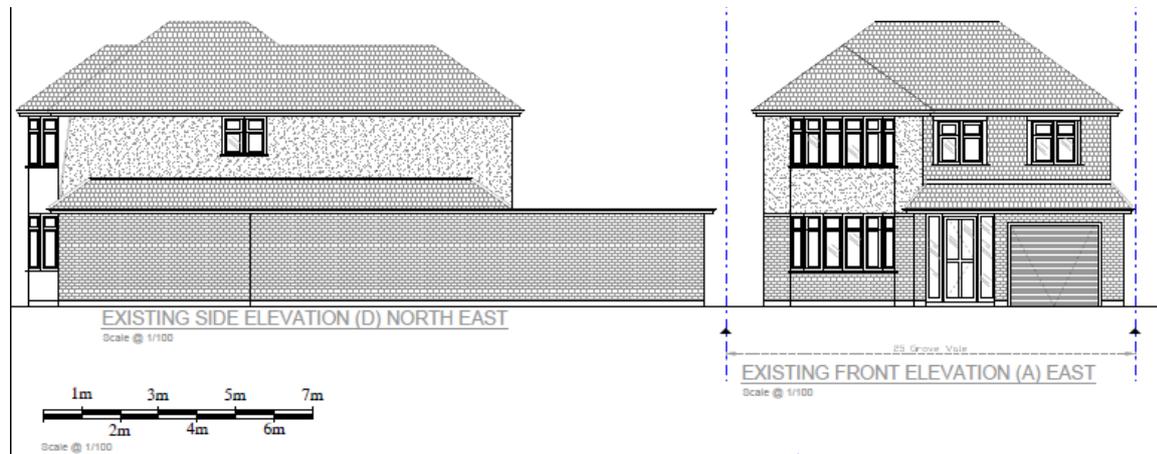
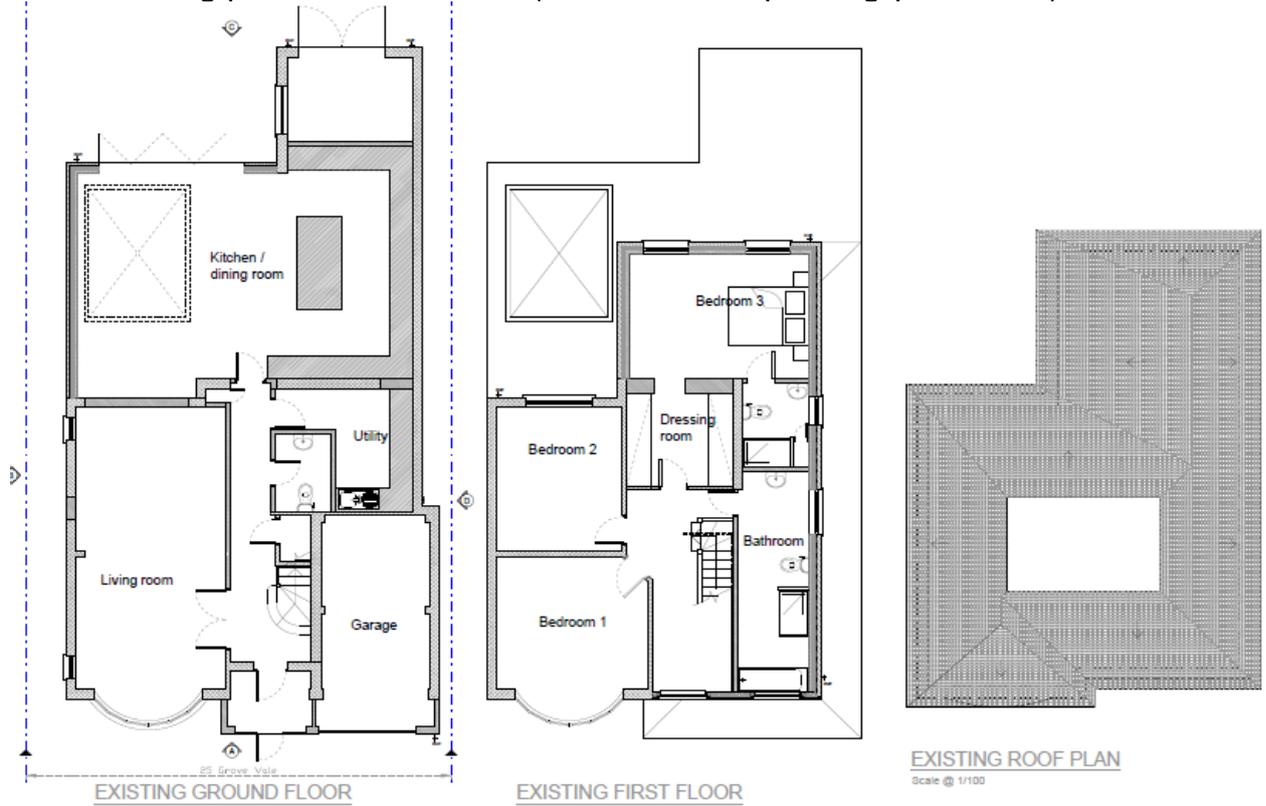


PREVIOUS EXISTING SIDE ELEVATION
SOUTH WEST
Scale @ 1/100

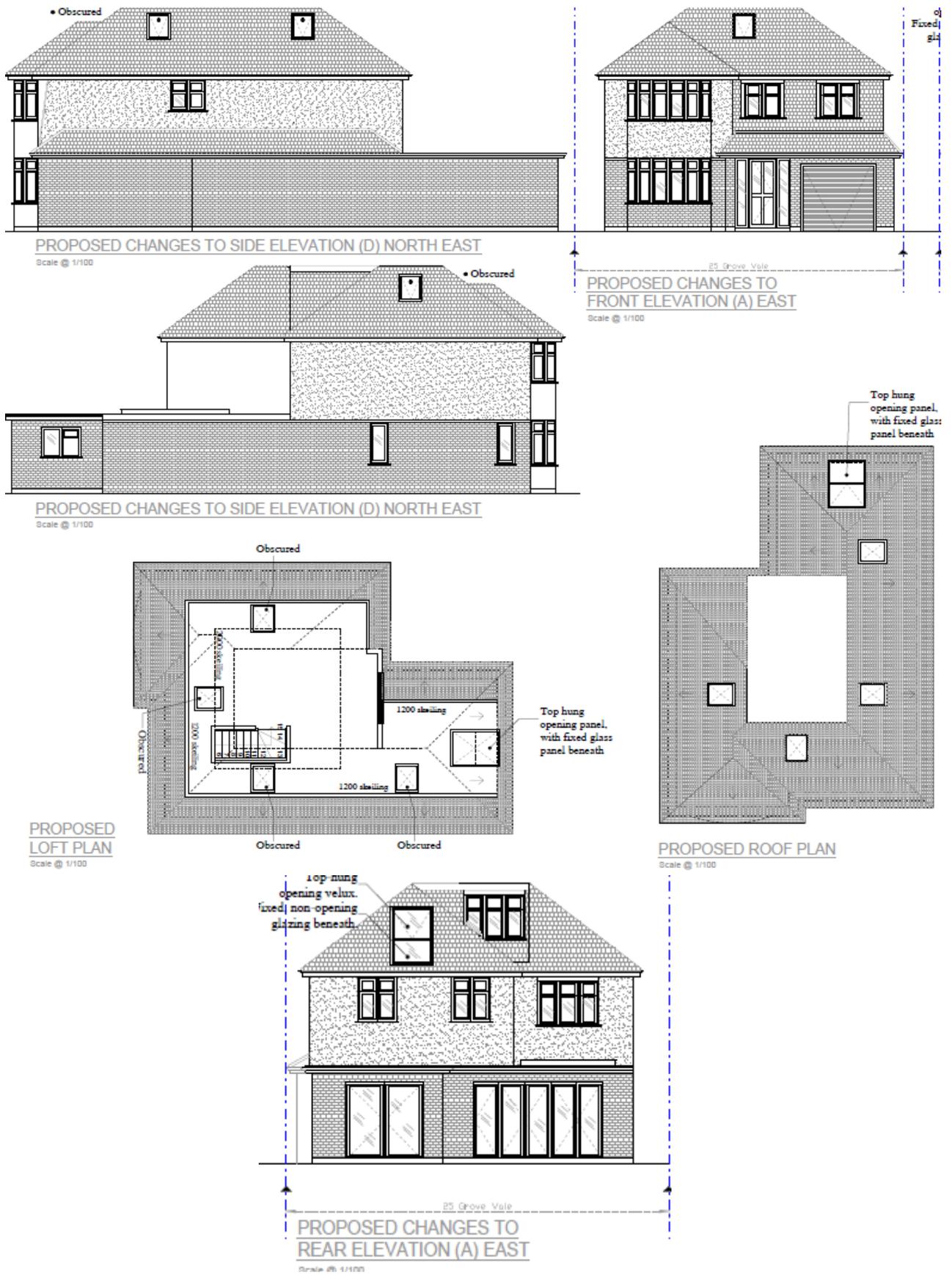


PREVIOUS EXISTING REAR ELEVATION
Scale @ 1/100

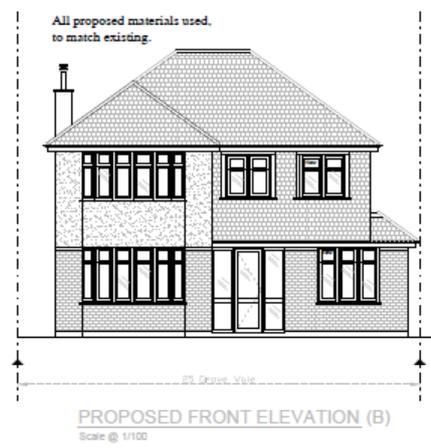
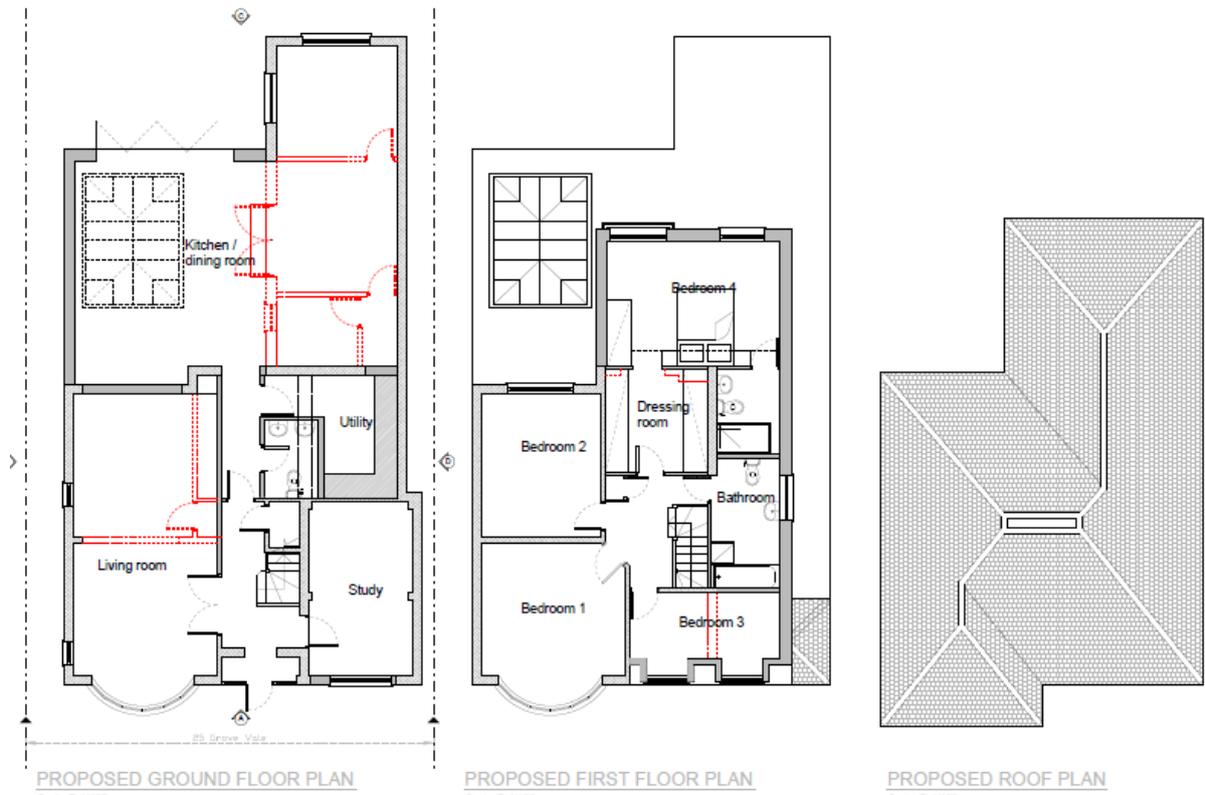
3.3 Existing plans and elevations (as built without planning permission):



3.4 Proposed plans and elevations:



3.5 Previously approved plans and elevations (17/01456/FULL6) – Refused; Appeal Allowed



4. RELEVANT PLANNING HISTORY

- 4.1 04/00004/FULL6 - Single storey side and rear extension – Permitted
- 4.2 17/01456/FULL6 - First floor side/rear and single storey rear extensions - Refused. Appeal Allowed
- 4.3 17/02276/HHPA - Single storey rear extension, extending beyond the rear wall of the house as existing by 6m (beyond the original rear wall by 6m), for which the maximum height would be 2.6m (maximum height of proposed and previous extensions 2.6m), and for which the height of the eaves would be 2.6m (maximum eaves height of proposed and previous extensions 2.6m) - (42 Day Notification for Householder Permitted Development Prior Approval) - Prior Approval Not Required
- 4.4 18/02423/FULL6 - First floor side/rear and single storey rear extensions. Retrospective amendments to previous planning application with reference 17/01456/FULL6 to change the pitch of the roof, increase the ridge height and incorporate rooflights on all sides to facilitate a loft conversion and elevational alterations - Refused. Appeal Dismissed
- 4.5 20/01668/FULL6 - Proposed changes to the roof on the front elevation - Decline to Determine
- 4.6 20/02809/FULL6 - Proposed changes to the roof - Decline to Determine
- 4.7 21/00897/FULL6 - Retrospective application for a children's activity frame and swings – Refused; Appeal Lodged
- 4.8 Planning Enforcement EN/18/00278/PLANS in 2018 complaint received 03.5.2018 from the local ward Councillor in connection with the allegations that the roof was not built in accordance with the approved plans. Enforcement Notice issued dated 19th November 2019 against the unauthorised development for the reasons that the form of construction of the roof through the steepening of the pitches, appears to be bulky and top-heavy in it's appearance, it is considered to have a dominant impact within the street scene. The roof alterations are out of character and detrimental to the character and appearance of both the host dwelling and the street scene, contrary to policies 6 and 37 of the Bromley Local Plan.
- 4.9 Prosecution action commenced against the Owner for failing to comply with the requirements of the Enforcement Notice, however this is currently held in abeyance as a direct result of the works that have been carried out in order to comply with the requirements of the Enforcement Notice
- 4.9 Numerous site visits and inspections have been carried out by the investigating officer's and the Head of Planning and Development Support to check that the roof structure was altered significantly to comply with the requirements of the Enforcement Notice. The owners have now altered the pitch of the roof and complied with the requirements of the notice by removing the unauthorised structure as built and has made the relevant changes to overcome the previous reasons for the Council taking action.

5. CONSULTATION SUMMARY

A) Statutory

5.1 None

B) Local Groups

5.2 N/A

C) Neighbouring occupiers

5.3 Objections

5.3.1 Neighbouring amenity and privacy

- Loss of privacy as a result of cabrio rooflight
- Cabrio window is invasion of privacy
- Negative impact on privacy and enjoyment of garden as a result of cabrio window
- Cabrio rooflight will give panoramic views of gardens and properties in Grove Vale and Selby Close

5.3.2 Character and Appearance

- Will spoil the present open and green ambience of the cul-de-sac
- Bulky and out of keeping with the rest of the street
- Dormer is the same as the dismissed planning application
- Dormer and large cabrio may make the roof seem bulky and oversized

5.3.3 Retrospective Application

- Will allow others to go beyond council limits
- Just a way to get around the previously dismissed application
- Enforcement notice has already been served that requires roof to be reinstated to what was permitted

5.4 Support

- Dormer is similar to the one at number 23
- Works have not been overly disruptive or noisy
- Dormer extension is in keeping
- Sensible use of space for a growing family
- Previous issues have been rectified and as such the application should be considered on its own merits
- Proposed plans are nothing more than the addition of a dormer and rooflights
- Number 25 have considered all planning aspects
- Disruption caused by construction is minimal and to be expected

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 development plan for Bromley comprises the London Plan (March 2016) and the Bromley Local Plan (2019). The NPPF does not change the legal status of the development plan.

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

6.5 National Policy Framework 2019

6.6 The London Plan

D1 London's form, character and capacity for growth
D4 Delivering good design

6.7 Bromley Local Plan 2019

6 Residential Extensions
8 Side Space
37 General Design of Development
73 Development and Trees

6.8 Bromley Supplementary Guidance

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

7. ASSESSMENT

- Design – Layout and scale
- Residential Amenity

7.1 Design – Layout and scale - Acceptable

7.1.1 Design is a key consideration in the planning process. Good design is an important aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. The NPPF states that it is important to plan positively for the achievement of high quality and

inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes.

- 7.1.2 London Plan and Bromley Local Plan policies further reinforce the principles of the NPPF setting out a clear rationale for high quality design.
- 7.1.3 Permission was refused under 18/02423/FULL6 for the harm to the character of the host dwelling and street scene as a result of the increased ridge height. The ridge height is now 0.5m less than that which was proposed previously and the pitch of the roof is altered by the first floor side extension which allows for a more traditional style pitched roof.
- 7.1.4 The existing dwelling incorporates a Crown top roof, similar in style to those at numbers 23 to the North and number 7, almost directly opposite. The single storey front extension also incorporates a pitched roof to the front at a single storey level and it is considered that the design of the roof as a result of the works would not cause any significant harm to the character and appearance of the host dwelling, or street scene.
- 7.1.5 At ground floor the garage is set in 0.3m from the boundary whilst the first floor is set in 0.6m, whilst policy 8 would normally require 1m side space it is considered that given the scale/boundary relationships of other properties in the area, and a side space of 1m nearest the other side boundary, that on balance, the extensions would not create any unrelated terracing nor would it appear to be a cramped, overdevelopment of the site.
- 7.1.6 The rear part of the extension incorporates a flat roof and incorporates matching brick, this is considered to give a contemporary appearance to the main dwelling and is therefore not considered to be harmful to the character of the host dwelling and is not visible within the street scene.
- 7.1.7 In regards to the loft conversion, the proposal incorporates rooflights to all elevations including a large style rooflight to the rear, where the bottom half would be fixed shut and obscure glazed; the loft conversion also incorporates a small dormer to the rear elevation.
- 7.1.8 Given the scale and siting of the alterations to the roof it is considered that there would be no significant harm to the character and appearance of the host dwelling or street scene.
- 7.1.9 Having regard to the form, scale, siting and proposed materials it is considered that the proposed extension(s) would complement the host property and would not appear out of character with surrounding development or the area generally.

7.2 Residential amenity – Acceptable

- 7.2.1 Policy 37 of the Bromley Local Plan seeks to protect existing residential occupiers from inappropriate development. Issues to consider are the impact of a development proposal upon neighbouring properties by way of overshadowing,

loss of light, overbearing impact, overlooking, loss of privacy and general noise and disturbance.

- 7.2.2 The loft conversion is considered to create some additional overlooking, however it is not considered that this would be unduly harmful in a residential setting such as this. Indeed it is noted that the dwelling at number 23 benefits from a rear dormer.
- 7.2.3 The single storey front extension, given its scale and siting is not considered to cause any significant harm to the outlook and amenity of the adjoining occupiers.
- 7.2.4 At ground floor at the rear the extension is a similar depth to that at number 24, and as such it is considered that this element has no significant impact on these adjoining occupiers.
- 7.2.5 Nearest the boundary with number 26 the ground floor extension projects 5m past the rear building line of this adjoining occupier, given the slight separation from the boundary and the height of 2.5m it is considered that this element does not cause any significant harm to the outlook and amenity of the adjoining occupiers at number 26.
- 7.2.6 The first floor side/rear extension projects minimally past the first floor rear building line of number 26 and as such it is considered that there is no significant detrimental impact on these adjoining occupiers.
- 7.2. Having regard to the scale, siting and separation distance of the development, it is considered that no significant loss of amenity with particular regard to light, outlook, prospect and privacy would arise.

8. CONCLUSION

- 8.1 Having had regard to the above it is considered that the development in the manner proposed is acceptable in that it would not result in a significant loss of amenity to local residents nor impact detrimentally on the character of the area. It is considered that the previous concerns raised regarding the unauthorised development, particularly in relation to the bulk and scale of the enlarged roof, have now been addressed and accordingly it is recommended that planning permission is granted.
- 8.2 Background papers referred to during production of this report comprise all correspondence on the files set out in the Planning History section above, excluding exempt information.

RECOMMENDATION: Application Permitted

Subject to the following conditions

- 1. Work completed within 3 months and retained thereafter**
- 2. Obscure glazing to flank windows and rooflights**