

<b>Committee Date</b>	11/11/21	
<b>Address</b>	80 Albert Road Bromley BR2 9PY	
<b>Application Number</b>	21/03135/FULL6	<b>Officer</b> - Catherine Lockton
<b>Ward</b>	Bromley Common And Keston	
<b>Proposal</b>	The removal of existing box dormer to main roof and the creation of larger box dormer and return dormer to the lower roof	
<b>Applicant</b> Ms Laura O'Loughlin	<b>Agent</b> Roger Butler	
80 Albert Road Bromley BR2 9PY	37 Roffes Lane Chaldon Caterham Surrey CR3 5PU	
<b>Reason for referral to committee</b>	Called-in	<b>Councillor call in</b>  YES

<b>RECOMMENDATION</b>	PERMISSION BE REFUSED
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<b>KEY DESIGNATIONS</b>  Biggin Hill Safeguarding Area London City Airport Safeguarding Area Smoke Control SCA 19
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<b>Representation summary</b>	<i>Adjoining neighbours were consulted by letter on 03.08.21.</i>
Total number of responses	2
Number in support	0
Number of objections	2

## 1 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- The scale and design of the proposed extension would fail to respect the scale and form of the host dwelling and that of surrounding development and would be detrimental to the character and appearance of the area within which it lies.
- The proposed development would give rise to a significant loss of residential amenity to neighbouring occupiers.
- The development would therefore be contrary to Policies 6 and 37 of the Bromley Local Plan.

## 2 LOCATION

2.1 The application site hosts a two storey mid-terraced dwellinghouse located on the southern side of Albert Road, Bromley.



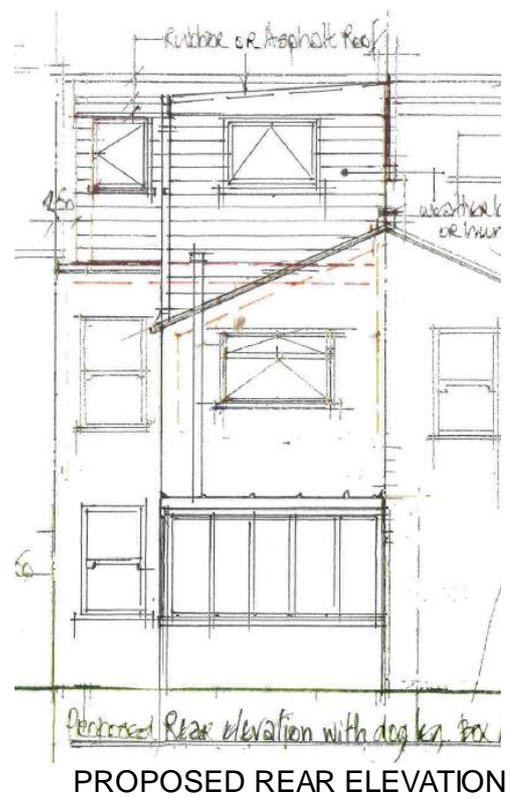
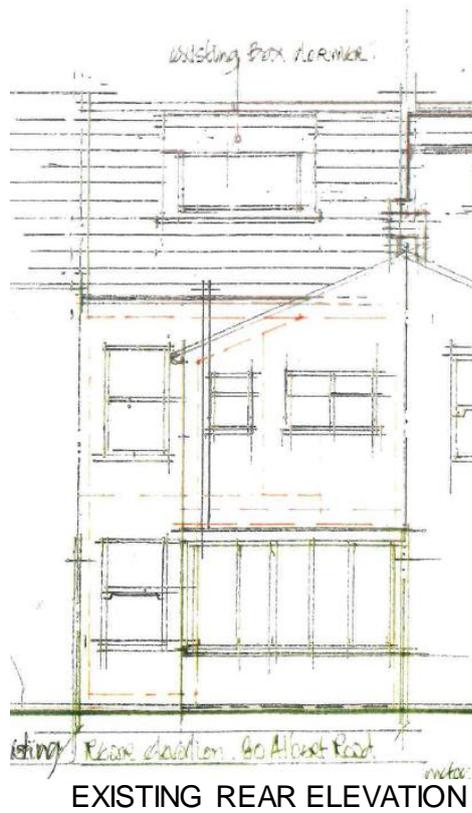
2.2 The application property is a small 2-bedroom terraced Victorian dwelling with an L-shaped footprint including a two storey rear outrigger. The adjoining properties and many of the properties with surrounding rounds include a similar footprint and design.





### 3 PROPOSAL

- 3.1 Planning permission is sought for the removal of existing box dormer to main roof and the creation of larger box dormer and return dormer to the lower roof.



- 3.2 The existing small flat roofed dormer within the rear roof slope of the main roof would be replaced with a larger flat roofed dormer which would connect to another dormer across the side roof slope of the original two storey pitched roof outrigger.
- 3.3 The dormers would provide an additional bedroom with en-suite within the roof space served by widows within the side and rear.

## **4 RELEVANT PLANNING HISTORY**

- 4.1 There is no relevant planning history relating to the application site.

## **5 CONSULTATION SUMMARY**

### **A) Statutory**

No statutory consultations were required for this application.

### **B) Local Groups**

No comments received.

### **C) Adjoining Occupiers**

#### **Loss of light and overshadowing (see paragraphs 7.2.1 to 7.2.7)**

- Loss of natural daylight to upstairs landing and back bedroom window of No. 78.
- Overshadowing to dining room window and back kitchen door window of No. 78.
- Loss of sunlight and daylight to majority of No. 78 for majority of the day as the sun rises in the East and sets in the West.
- No. 78 have enjoyed natural daylight for an uninterrupted period of 20 years therefore request that under Section 3 of the Right to Light Act 1832 that this build does not go ahead.
- The large box dormer would jut out 3m to the south and 3m up, less than two feet from No. 82's window cutting out sunlight and daylight to landings, bathroom, kitchen, patio and garden from midday.
- The terrace has small back gardens which are an essential part of quality of life and wellbeing and the dormer would affect the light conditions in the garden of No. 82 creating a depressing, overpowering atmosphere.

#### **Loss of privacy and overlooking (see paragraphs 7.2.1 to 7.2.7)**

- Two windows would overlook the landing and second back bedroom window of No. 78.
- The current bathroom and toilet window at No. 80 which look out onto the back garden of No. 78 are frosted/obscured glass and there would be a further window overlooking the patio and garden.
- Loss of privacy to No. 78.

### **Loss of outlook (see paragraphs 7.2.1 to 7.2.7)**

- Loss of skyline from landing window to No. 78.
- Loss of outlook to No. 78; looking at a wall rather than the sky as the properties are so close.
- The sheer wall of the large box dormer, less than two feet from a window within No. 82, would give the visual effect of a prison wall.

### **Impact on property and terrace (see paragraphs 7.1.7 to 7.1.10)**

- Extension would be out of proportion for a small two up two down Victorian terrace property.
- Out of keeping with the terrace.
- The extension of the larger box dormer exceeds the height of the existing roof of the present kitchen/bathroom by 3m.
- The large box dormer will totally change the harmonious appearance of the terrace and will be a monstrous, overpowering sight.
- The box dormer will be completely out of character with the terrace.
- The roof line of the original extensions which is common to all houses in the terrace is much lower than that of the main part of the house and this roofline has been totally disregarded and raised to that of the main building.
- The extra storey on top of the original extension would be utterly dominant and completely misplaced.
- The development will have a total disrespect to any aesthetic aspects of the terrace, affecting most seriously the direct neighbours.

### **Impact of building works (see paragraph 7.2.8)**

- No party wall notice has been served to No. 82.
- The large box dormer will affect the chimney above the party wall with No. 82.
- No objection in principle to the enlargement of the original dormer if built to safety and building regulation specification and a party wall surveyor assesses the plans and work.

The above is a summary of the representations received from No.'s 78 and 82 Albert Road. A full copy of these representations are available on the file.

If any additional late representations are received they will be reported verbally at the committee meeting.

## **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 revised on 20<sup>th</sup> July 2021.

6.4 The development plan for Bromley comprises the London Plan (March 2021) and the Bromley Local Plan (2019). The NPPF does not change the legal status of the development plan.

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

**6.6 National Policy Framework (2019)**

**6.7 The London Plan (2021)**

D3 Optimising site capacity through the design-led approach

D4 Delivering good design

**6.8 Bromley Local Plan (2019)**

6 Residential Extensions

37 General Design of Development

**6.9 Bromley Supplementary Guidance**

Supplementary Planning Guidance 1 - General Design Principles

Supplementary Planning Guidance 2 - Residential Design Guidance

## **7 ASSESSMENT**

### **7.1 Design, Scale and Layout – Unacceptable**

7.1.1 Design is a key consideration in the planning process.

7.1.2 Paragraph 126 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.

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

7.1.4 Policy D3 of the London Plan relates to 'Optimising site capacity through the design-led approach' and states that all development must make the best use of land by following a design-led approach that optimises the capacity of sites. Form and layout should enhance local context by delivering buildings and

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

- 7.1.5 Policy D4 of the London Plan outlines the various methods of scrutiny that assessments of design should be based on depending on the level/amount of the development proposed for a site.
- 7.1.6 Policies 6 and 37 of the Bromley Local Plan and the Council's Supplementary design guidance seek to ensure that new development, including residential extensions are of a high quality design that respect the scale and form of the host dwelling and are compatible with surrounding development.
- 7.1.7 The proposed roof extension would occupy almost the full width of the main rear roof slope and the length of the side roof slope to the existing outrigger. It is noted that the base of both dormers would be set up from the eaves of these roofs and that the outrigger dormer would be set back from the rear wall by 0.4m which would create an element of subservience. However, whilst remaining lower than the height of the main roof, the outrigger dormer would extend approximately 1.7m above the ridge height of the outrigger roof. The proposed roof extension would therefore appear bulky in the context of the existing roof.
- 7.1.8 In addition, whilst the dormer extensions are to the rear of the dwelling, they would be visible from Salisbury Road due to the location of the application site close to the corner of Albert Road and Salisbury Road.
- 7.1.9 It is noted that there are some examples of dormer extensions located to the rear roof slopes of properties within the locality, including at the adjoining dwelling of No. 82 as well as the smaller dormer at the application dwelling. However, the roofs of the outriggers largely remain unaltered and where they do exist these are predominantly to semi-detached dwellings and appear to have been constructed utilising the dwelling's permitted development rights.
- 7.1.10 Having regard to the above, it is considered that the scale and form of the proposed dormer extensions would fail to respect that of the host dwelling and surrounding development, and would appear bulky and overly dominant, resulting in a detrimental impact to the character and appearance of the existing dwelling and the wider area generally. In this regard, the application would fail to comply with the aims and objectives of Policies 6 and 37 of the Bromley Local Plan.

## 7.2 Residential Amenity – Unacceptable

- 7.2.1 Policy 37 (e) 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 Concerns with regards to the proposed dormer extension have been raised by the occupiers of both adjoining dwellings; No. 78 to the west and No. 82 to the east. These are summarised within section 5 of this report, above and mainly relate to the impact of the dormer to the outrigger.
- 7.2.3 The proposed dormer to the main roof slope would not extend higher than the ridge height of this part of the roof and would not extend beyond the rear wall of the dwelling. Therefore, this part of the proposed roof extension is not considered to give rise to any adverse loss of light or outlook to either neighbouring dwelling.
- 7.2.4 The existing outrigger at the application dwelling is adjoined with an outrigger of the same proportions at No. 82 Albert Road. No. 82 benefits from an existing dormer within the main rear roof slope which contains two rear facing windows. These windows serve a stairway and a bathroom.
- 7.2.5 The proposed outrigger dormer would be located in close proximity to the window serving the stairway and due to its height and location would result in some loss of light and outlook to this window. However, as this window serves stairway and not a habitable room, the weight that such an impact can be afforded is less and may not be considered to be so significant as to warrant a refusal of planning permission on this basis.
- 7.2.6 The proposed outrigger dormer would be visible both from a first floor rear window and a first floor side window within No. 78 Albert Road. The side window serves a hallway and as such whilst the dormer would be visible from this window, as it is not a habitable room, the overall impact on light and outlook to the occupiers of No.78 from this window would be limited. However, the rear window serves a bedroom and therefore the impact of the outrigger dormer on the residential amenities of No. 78 would be greater.
- 7.2.7 The proposed outrigger dormer would result in a higher and more bulky form of development in close proximity to this bedroom window which would reduce light and outlook. Concerns have also been raised with regards to overlooking from the two flank windows within this proposed outrigger dormer and as such a loss of privacy. However, both windows would serve an en-suite bathroom and therefore a condition could be placed on any approval of planning permission to require these to be obscure glazed and of limited opening to mitigate any loss of privacy.
- 7.2.8 Concerns have also been raised with regards to the impact of the construction process including a party wall and building regulations. However, these matters are not material planning considerations and would be dealt with through separate legislation.

7.2.9 Having regard to the above, it is considered that a significant loss of amenity to the neighbouring residents at No. 78 Albert Road, with particular regard to light and outlook, would arise from the proposed development.

## **8 CONCLUSION**

8.1 Having had regard to the above, it is considered that the proposed development is not acceptable.

8.2 The scale and design of the proposed extension would fail to respect the scale and form of the host dwelling and that of surrounding development and would be detrimental to the character and appearance of the area within which it lies.

8.3 The proposed development would give rise to a significant loss of residential amenity to neighbouring occupiers.

8.4 The proposed development would therefore be contrary to Policies 6 and 37 of the Bromley Local Plan.

8.5 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 be refused**

- 1. The proposed outrigger dormer, by reason of its height and scale, would fail to respect the scale and form of the host dwelling and that of surrounding development, and would appear bulky and overly dominant resulting in a detrimental impact to the character and appearance of the existing dwelling and the wider area within which it lies and to the amenities of the occupiers of No. 78 by way of a loss of light and outlook; thereby contrary to Policies 6 and 37 of the Bromley Local Plan.**