

Committee Date	09.12.2021	
Address	4 Daleside Orpington BR6 6EQ	
Application Number	20/04742/FULL6	Officer - Gill Lambert
Ward	Chelsfield And Pratts Bottom	
Proposal	Detached outbuilding at rear (retrospective application)	
Applicant	Agent	
Tushar Vekaria	Mr Tony Oyenuga	
4 Daleside Orpington BR6 6EQ	59 Edward Tyler Road Grove Park London SE12 9QE	
Reason for referral to committee	Councillor call in	
Call-In	Yes	

RECOMMENDATION	Application Permitted
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KEY DESIGNATIONS	
Biggin Hill Safeguarding Area London City Airport Safeguarding Smoke Control SCA 28	
Representation summary	Neighbour letters were sent 06/01/21, 29/04/21 & 12/11/21
Total number of responses	8
Number in support	0

SUMMARY OF KEY REASONS FOR RECOMMENDATION

- The development does not result in a harmful impact on the character and appearance of the surrounding area
- The development does not adversely affect the amenities of neighbouring residential properties.

1 LOCATION

- 1.1 This semi-detached dwelling is located on the north-eastern side of Daleside, and backs onto No.1 Woodside. Its south-eastern flank boundary lies adjacent to the rear boundaries of properties fronting Windsor Drive.
- 1.2 The surrounding area is largely characterised by semi-detached dwellings set within generous plots.



2 PROPOSAL

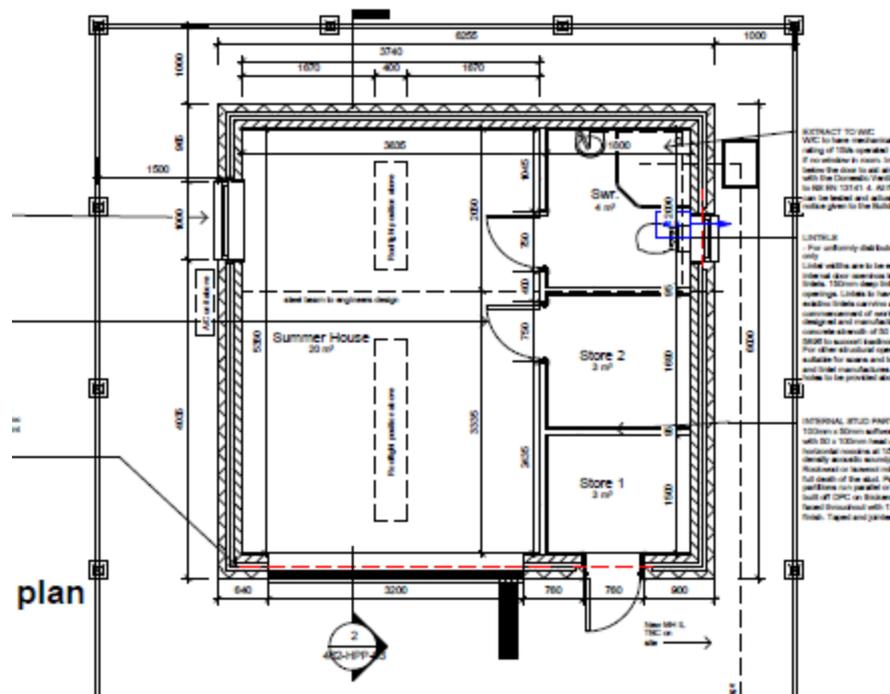
- 2.1 Retrospective permission is sought for a detached outbuilding which is located at the far end of the rear garden of this property. It measures 6.3m in width, 6m in depth and 2.7m in height to the top of the flat roof. It has been rendered and painted to match the existing dwelling.

2.2 The building contains a living area, a shower room and two storage rooms, one of which is accessed only via an external door. The internal floor area measures 30sq.m.

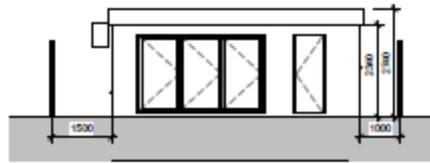
2.3 The outbuilding is located 20m from the back of the host dwelling, and is set back 1m from the rear boundary, 1m from the south-eastern flank boundary, and 1.5m from the north-western flank boundary. It contains bi-fold doors to the living area and a door to a separate storage room in the front elevation facing the back of the host dwelling, whilst the rear elevation facing the back garden of No.1 Woodside has no windows or doors. An obscure glazed window to the shower room is located in the south-eastern flank elevation, whilst a clear glazed window to the living area and an air-conditioning unit are located on the north-western flank elevation, set back 1.5m from the boundary.

2.4 Revised plans were submitted on 11th November 2021 to reflect what has been built on site. An acoustic report on the air conditioning unit was also submitted.

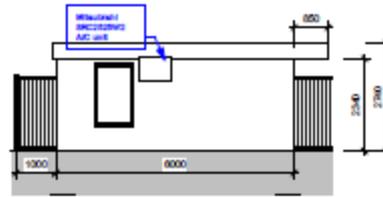
2.5 Floor plan:



2.6 Elevations:



Elevation 1 - Front
1 : 100



Elevation 2 - Left
1 : 100



Elevation 3 - Rear
1 : 100



Elevation 4 - Right
1 : 100

3 RELEVANT PLANNING HISTORY

- 3.1 The relevant planning history relating to the application site is summarised as follows:
- 3.2 Under ref.20/00181/HHPA, it was determined in March 2020 that prior approval was not required for a single storey rear extension which extended beyond the rear wall of the original house by 4.4m, for which the maximum height would be 2.84m, and for which the height of the eaves would be 2.54m.
- 3.3 A Lawful Development Certificate for the existing single storey rear extension to the dwelling was submitted in April 2021 under ref.21/02057/ELUD, and the decision is pending.

4 CONSULTATION SUMMARY

A) Adjoining Occupiers

Impact on visual amenities of the area (addressed in paras. 6.1.4, 6.1.5 & 6.1.7)

- The building is an eyesore
- The mass and bulk of the building is out of character with the area
- The use of white render is not in keeping with the surrounding area

Impact on residential amenity (addressed in paras. 6.1.8, 6.2.2, 6.2.3, 6.2.4 & 6.2.6)

- Loss of outlook and light to neighbouring properties

- The building could be used for separate self-contained residential accommodation or for business purposes
- The storage rooms could easily be converted into a kitchen
- Inconsistencies in the plans (revised plans have been submitted which rectify this)
- The air conditioning unit may have a detrimental impact on neighbouring properties
- Light pollution from rooflights
- The shower room window is not required as mechanical extraction is sufficient
- The flank window to the living area causes overlooking of adjacent gardens – it should be removed as this room already has large bi-fold doors and rooflights

Other

- No additional parking is provided for the separate dwelling unit (no separate residential unit is proposed)
- Adequate drainage should be provided (this is dealt with under Building Regulations).

B) Non-Statutory

Environmental Health – No objection

- Considering the position of the air conditioning unit, which appears to be more than 25m away from any adjoining premises, and based on the product specification which details the sound power and sound pressure level, the level at the nearest residential window should be in the region of 20-25 dBA which would be sufficiently below the background noise level as to not present any particular issue.

5 POLICIES AND GUIDANCE

5.1 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.

5.2 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.

5.3 The National Planning Policy Framework was published on 20th July 2021, and is a material consideration.

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

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

5.6 The London Plan

- D1 London's form and characteristics
- D3 Optimising site capacity through the design-led approach
- D4 Delivering good design
- D14 Noise

5.7 Bromley Local Plan 2019

- 6 Residential Extensions
- 37 General Design of Development

5.8 Supplementary Planning Guidance

- SPG1 – General Design Principles
- SPG2 – Residential Design Guidance

6 ASSESSMENT

6.1 Design, layout and scale – Acceptable

- 6.1.1 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.
- 6.1.2 London Plan and BLP policies further reinforce the principles of the NPPF setting out a clear rationale for high quality design.
- 6.1.3 Policies 6 and 37 of the Bromley Local Plan (BLP) 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.
- 6.1.4 The outbuilding is located at the far end of the garden, and backs onto the rear gardens of surrounding residential properties, therefore, it is not very visible from the public domain, and does not therefore impact on the street scene.
- 6.1.5 The size and design of the building is considered acceptable in this rear garden location and complements the design and materials of the host dwelling. There are a number of garden buildings which back onto the rear garden of the application property, and the building does not appear out of character with the area.

6.1.6 Photo of outbuilding:



6.1.7 The outbuilding is not therefore considered to detract from the appearance of the host dwelling, nor have a significant detrimental impact on the character and appearance of the surrounding area.

6.1.8 With regard to the layout of the building, the use of it for a living/work area, a shower room and two storage rooms is considered to be incidental to the use of the main dwelling. The building could not be easily severed to form a separate self-contained residential unit, and a condition can be imposed to ensure that it is not used separately from the main dwelling.

6.2 Neighbouring amenity - Acceptable

6.2.1 Policy 37 of the BLP 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.

6.2.2 The outbuilding is located at the far end of the rear garden of this property, at least 20m away from the rear elevation of the adjoining semi at No.6, and it does not therefore result in undue loss of light to or outlook from the adjoining property. The outbuilding is set back 1.5m from the flank boundary with No.6, and although there is a window in the facing flank elevation which serves the living area, there is good screening along this boundary, and no significant loss of privacy to the garden of No.6 would therefore occur. Additionally, the air conditioning unit located on the facing side wall of the outbuilding is not considered to be unduly noisy, and it does not therefore detrimentally affect the amenities of the adjoining property.

6.2.3 With regard to the impact on No.1 Woodside to the rear, this dwelling is located approximately 25m away from the outbuilding, and it does not therefore unduly affect light to or outlook from this property. No windows are located in the rear elevation facing No.1, therefore, no loss of privacy has occurred.

6.2.4 With regard to the dwellings in Windsor Drive which back onto the rear garden of the application property, they are located approximately 25-30m from the outbuilding, and a number of these properties already have rear outbuildings which back onto No.4. The impact of the outbuilding at No.4 Daleside on them is therefore considered to be minimal.

6.2.5 Photo showing outbuildings at Windsor Drive properties:



6.2.6 Having regard to the scale, siting, separation distance, orientation and existing boundary treatment of the development, it is not considered that a significant loss of amenity with particular regard to light, outlook, prospect and privacy would arise.

7 CONCLUSION

7.1 Having had regard to the above, it was 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 and appearance of the surrounding area.

7.2 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.

As amended by documents received 12.11.2021

RECOMMENDATION: PERMISSION BE GRANTED

The following conditions are recommended:

Standard Conditions:

1. Retain in accordance with plans

Compliance conditions:

2. Restrict use of outbuilding

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