

<b>Committee Date</b>	09.06.2022	
<b>Address</b>	82 Queen Anne Avenue Shortlands Bromley BR2 0SD	
<b>Application Number</b>	22/00873/FULL6	<b>Officer</b> - Louisa Bruce
<b>Ward</b>	Shortlands	
<b>Proposal</b>	Single storey rear extension, raised decking, balustrade and steps leading to rear garden. Garden fencing with trellis (RETROSPECTIVE).	
<b>Applicant</b>	<b>Agent</b>	
Mr & Mrs Sivaraj 82, Queen Anne Avenue Shortlands Bromley BR2 0SD	Mr James Woodgate Bank Chambers 79 High Street Tunbridge Wells TN1 1XZ United Kingdom	
<b>Reason for referral to committee</b>	Call-In	<b>Councillor call in</b> Yes

<b>RECOMMENDATION</b>	Application Permitted
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<p><b>KEY DESIGNATIONS</b></p> <p>Article 4 Direction Biggin Hill Safeguarding Area Bromley Town Centre Area Buffer 200m London City Airport Safeguarding Smoke Control SCA 21 Smoke Control SCA 9</p>
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<b>Representation summary</b>	Local residents were notified of the application on the 9 <sup>th</sup> March 2022.	
Total number of responses	1	
Number in support	0	
Number of objections	1	

## 1. SUMMARY OF KEY REASONS FOR RECOMMENDATION

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

## 2. LOCATION

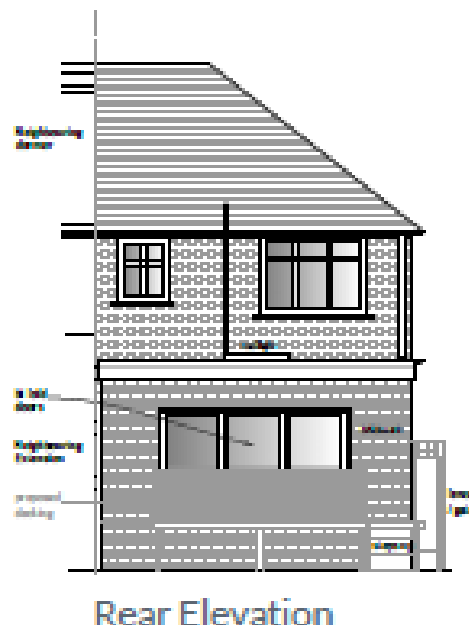
- 2.1 The application relates to a two storey end-of-terrace property located on the northern side of Queen Anne Avenue, Bromley. The building is not listed or located within any special designation.

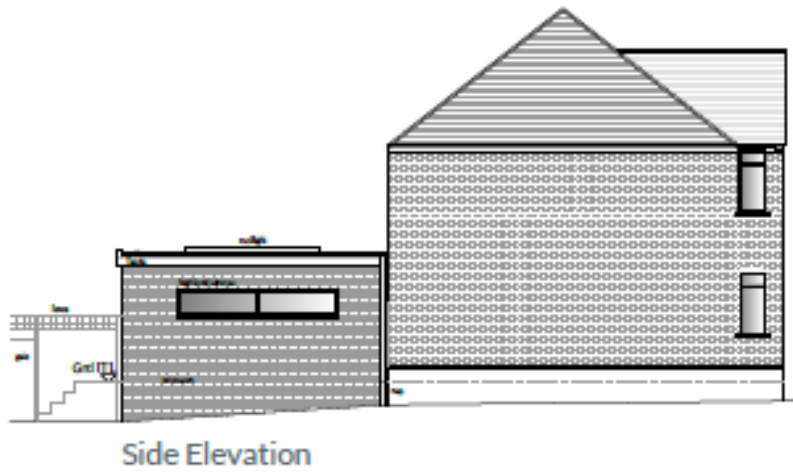


**Site Location Plan**

### 3. PROPOSAL

- 3.1 Retrospective planning permission is sought for a single storey rear extension, raised decking with balustrade, decking and fencing. The application is a resubmission of a previous planning application granted planning permission on 9<sup>th</sup> March 2020 for *'hip to gable loft conversion with rear dormer and juliet balcony, front rooflights, the removal of both chimney stacks, a single storey rear extension with glazed roof and roof lantern, and new decking/steps to the existing garden terrace'*.
- 3.2 The design of the single storey rear extension is different to the approved plans as to is the decking which leads down into the garden. The single storey rear extension has changed in terms of it design and no longer has a partly glazed appearance with stepped hipped roof. The rear extension is now brick built and has a flat roof with roof lantern and bi-folding doors in the rear elevation. Decking connects the rear extension down via the steps leading out to the garden. The raised decking measures approximately 0.9m from ground level and the balustrading measures 0.9m in height by 3.9m in width and 1.8m in depth.
- 3.3 The rear garden fencing measures 2.1m in height and the trellis 0.2m, resulting in the fencing and trellis measuring 2.3m in total and extending the full depth of the rear garden which lies next to an accessway and then wraps around to the rear of the property.





**Photograph 1: View from rear garden**



**Photograph 2: View from access**

#### **4. RELEVANT PLANNING HISTORY**

Under planning application ref: 19/04893/FULL6 planning permission was granted for *“Hip to gable loft conversion with rear dormer, juliet balcony, front rooflights and the removal of both chimney stacks, single storey rear extension with glazed roof and roof lantern, new decking/steps to garden terrace”*.

#### **5. CONSULTATION SUMMARY**

##### **A) Statutory**

None

##### **B) Local Groups**

None

##### **C) Adjoining Occupiers**

Nearby owners/occupiers were notified of the application and representations were received, which can be summarised as follows:

##### Objections

- The plans associated with the application do not give details of the position and measurements of the various structures related to the planning application (RETROSPECTIVE).
- At present, part of the decking and garden fence as well as sewage and ventilation pipes have been constructed already within the alleyway between 82 and 84 Queen Anne Avenue. This affects adversely the neighbours who have the right of way in the alleyway including ourselves the owners and occupiers of 84 Queen Anne Avenue.
- The nature of the objections is addressed under section 7 of the report.

#### **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 Bromley Local Plan (Jan 2019) and the London Plan (March 2021). 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

#### London Plan Policies

- D1 London's form character and capacity for growth
- D4 Delivering good design
- D5 I Inclusive design

#### Bromley Local Plan

- 6 Residential Extensions
- 37 General Design of Development

#### Supplementary Planning Guidance

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

## 7. ASSESSMENT

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

- Resubmission
- Design
- Neighbouring amenity

#### Resubmission

- 7.2 The previous application originally proposed a 6m deep rear extension spanning the full width of the property. It also proposes a hip to gable loft conversion and the addition of a 3.6m deep rear dormer. The applicants have decided to only construct the single storey rear extension with raised decking and steps leading down to

the garden. The design of the rear extension originally had a glazed element which sloped down to 1.7m above floor level at the north-western boundary which had a modern, contemporary appearance. The rear extension has been constructed using brick and the entire roof design is now flat with a flat roof lantern. The height of the extension is now slightly higher (3.8m as opposed to 3.5m) but the depth and width have remained the same. The raised decking has been built with a balustrade and steps leading down to the garden. Rear garden fencing, measuring 2.3m in height, has been installed in the rear garden spanning the side and rear of the garden together with trellis.

#### *Design - Acceptable*

- 7.3 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.
- 7.4 Paragraph 127 of the NPPF states that planning decisions should ensure that developments function well and add to the overall quality of the area, are not just for the short term but over the lifetime of the development, and are visually attractive and sympathetic to the local character and history, including the surrounding built environment and landscape setting. It also seeks to ensure that developments 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.
- 7.5 London Plan and Bromley Local Plan policies further reinforce the principles of the NPPF setting out a clear rationale for high quality design. Policies D1 and D4 of The London Plan seek to ensure that developments respect the pattern of existing spaces and streets and complement the local architectural character. Similarly, policies 6 and 37 aim to ensure that new developments are of good architectural quality and respect the scale, spaces and form of the host property as well as developments in the wider area.
- 7.6 The single storey rear extension measures 3.9m in height, 6m in depth and 5.7m in width and includes a flat roof light lantern and high level window in the flank elevation (closest to the boundary with No 84). The proposed materials are largely considered to complement the host dwelling.
- 7.9 With regards to the rear extension, there are a number of properties in the vicinity that have been extended to the rear including both direct neighbours. The typography of the site means that the application site sits at a higher level to number 84. This design approach creates a modern, traditional appearance and mitigates the impact the extension has on number 84.
- 7.10 It is acknowledged that the extension is slightly higher than originally permitted however, given the size and scale of similar developments in the

immediate vicinity, the proposed extension is not considered to be wholly out of keeping with the character of the area. The proposed new decking area is also considered to be proportionate in height, depth and width. The height of the rear garden fencing is also considered to be acceptable.

#### Neighbouring amenity – *Acceptable*

- 7.11 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.
- 7.12 The adjoining property (No.80) to the south-east benefits from a 3.5m deep (approx.) rear extension so the proposed development projects an additional 2.5m beyond its rear elevation. This additional projection is not considered substantial enough to adversely impact the enjoyment of number 82 with regards to light, overshadowing or outlook and would not warrant a refusal on this basis alone.
- 7.13 Similarly, the application site and the neighbour to the north-west (84 Queen Anne Avenue) are separated by a 3.5m wide public footpath thereby mitigating the impact of the proposed rear extension. Both adjacent neighbours also benefit from similar roof alterations to the proposed and it is therefore considered that the proposed development would not have a substantially detrimental impact on the amenities of neighbouring properties.
- 7.14 One letter of objection has been received but the objections as outlined in the consultation section of this report relate to sewage and ventilation pipes connecting to the alleyway between the two properties. This would be a private legal matter between neighbours and not something the Council would become involved with.
- 7.15 Raised decking can often create unneighbourly impacts and cause concern by way of overlooking and greater transference of noise and disturbance due to having an elevated position. A site visit of the property revealed that the raised decking is mainly a means of getting from the rear extension down to the garden and whilst it could be used as an area for sitting the extent of overlooking is lessened because of the higher level fence blocking any views to No.84 and No.82 have not raised any objections.
- 7.16 Having regard to the scale, siting, separation distance, orientation and existing boundary treatment of the development, it is considered that a significant loss of amenity with particular regard to light, outlook, prospect and privacy would not arise from the rear extension, raised decking, steps and fencing.



## **8. CONCLUSION**

- 8.1 Having had regard to the above it is considered that the development in the manner constructed 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.
- 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: PERMISSION**

Subject to the following conditions:

- 1. Materials in accordance with plans**
- 2. Compliance with plans**

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