

Committee Date	09.02.2023	
Address	1 Hartfield Road West Wickham BR4 9DA	
Application Number	22/03084/FULL6	Officer - Stephanie Gardiner
Ward	Hayes And Coney Hall	
Proposal	The construction of a part side and rear first floor extension.	
Applicant	Agent	
Mr Ben Dudly		
1 Hartfield Road Bromley West Wickham BR4 9DA undefined		
Reason for referral to committee	Call-In	Councillor call in Yes Councillor Michael

RECOMMENDATION	Permission
-----------------------	------------

<p>KEY DESIGNATIONS</p> <p>Biggin Hill Safeguarding Area London City Airport Safeguarding Smoke Control SCA 51</p>
--

Representation summary	<i>Letters were sent out to surrounding neighbours.</i>
Total number of responses	4

Number in support	
Number of objections	3

1. SUMMARY OF KEY REASONS FOR RECOMMENDATION

- The proposal has satisfactorily overcome previous reasons for refusal and would have an acceptable impact on the character and appearance of the dwelling, semi-detached pair of dwellings and street scene.
- The proposal would also now have an acceptable impact on neighbouring amenities.

2. LOCATION

- 2.1 The application site hosts a semi-detached chalet bungalow located on the western side of Hartfield Road, West Wickham on the corner with Harvest Bank Road. The properties along Hartfield Road were originally constructed with side cat slide roofs; however, it is noted that a number (including the application dwelling) now benefit from first floor side or side dormer extensions above the catslide roof.



Fig 1. Site Plan.

3. PROPOSAL

- 3.1 The application seeks permission for a first-floor side/rear extension. The description of development has been amended with the applicant's agreement and removes the reference to the erection of a ground floor side extension which was included in error.



Fig. 2 Existing and Proposed Elevations.

4. RELEVANT PLANNING HISTORY

Under ref: 12/02186/FULL6, planning permission was refused for a first-floor side and part one/two storey rear extensions to include steps to rear and roof alterations to provide accommodation in the roof space for the following reasons.

1. "The proposed extension by reason of its size, height, bulk and incongruous design in a prominent location is detrimental to the character and appearance of the area and street scene in general and would unbalance the symmetry of this pair of semi-detached properties thereby contrary to Policies H8 and BE1 of the Unitary Development Plan."

Under ref: 12/03099/FULL6, planning permission was refused for a part one/two storey side/rear extension to include steps to rear for the following reasons;

1. "The proposed extension would extend beyond the established front building line of properties in Harvest Bank Road and together with its size, width and bulk sited on this prominent exposed corner plot would unbalance the symmetry of this pair of semi-detached properties and would be detrimental to the character and appearance of the area and street scene in general thereby contrary to Policies H8 and BE1 of the Unitary Development Plan."

Under ref: 13/00653/FULL6, planning permission was refused for a part one/two storey side/rear extension to include steps to rear for the following reasons;

- 1 The proposed extension by reason of its design, size, bulk and rearward projection in view of its siting on this prominent exposed corner plot would lead to an incongruous form of development detrimental to the character and appearance of the area and harmful to the visual amenities of the street scene in general, thereby contrary to Policies BE1 and H8 in the Unitary Development Plan.

- 2 The proposed rear extension by reason of its proximity to the boundary with the adjoining property at No.3 and excessive depth of rearward projection would be harmful to the amenities that the occupiers of that property may reasonably be able to continue to enjoy with regard to visual impact, overdominance and overshadowing thereby contrary to Policies BE1, H8 and H9 of the Unitary Development Plan."

Under ref: 13/02437/FULL6, planning permission was refused for a part one/two storey side/rear extension to include steps to rear for the following reasons:

- 1 The proposed extension by reason of its design, size, and bulk in view of its siting on this prominent exposed corner plot would lead to an incongruous form of development detrimental to the character and appearance of the area and harmful to the visual amenities of the street scene in general, thereby contrary to Policies BE1 and H8 in the Unitary Development Plan.
- 2 The proposed rear extension by reason of its height and proximity to the boundary with the adjoining property at No.3 and depth of rearward projection would be harmful to the amenities that the occupiers of that property may reasonably be able to continue to enjoy with regard to visual impact, overdominance and overshadowing thereby contrary to Policies BE1, H8 and H9 of the Unitary Development Plan."

This application was subsequently dismissed at appeal based on the impact of the first-floor rear projection on the living conditions of the occupiers of No. 3 Hartfield Road.

Under ref: 14/00684/FULL6, planning permission was granted for a part one/two storey side/rear extension to include steps to rear. A non-materials amendment was granted to this approved application under ref: 14/00684/AMD for alterations to fenestration to ground floor side/rear elevations.

Under ref: 14/01782/FULL6, planning permission was refused for a part one/two storey side/rear extension to include steps to rear for the following reasons:

1. The proposed first floor side extension would extend beyond the established front building line of properties in Harvest Bank Road, and together with its size, width and additional bulk sited on this prominent exposed corner plot would unbalance the symmetry of this pair of semidetached properties, detrimental to the character and appearance of the area and street scene in general thereby contrary to Policies H8 and BE1 of the Unitary Development Plan."

Under ref: 21/01674/FULL6 - Proposed ground and first floor side extensions. Refused for the following reason:

1. The proposed first floor side extension would extend beyond the established front building line of properties in Harvest Bank Road, and this, together with the size, width, additional bulk and reduction in side space created as a result of both the ground and first floor extensions, would significantly unbalance the symmetry of the

pair of semi-detached properties and would adversely harm the spatial standards of these prominent corner plots, causing detrimental harm to the visual amenities of the street scene as well as to the character and appearance of the wider area within which it lies; thereby contrary to Policies 6, 8 and 37 of the Bromley Local Plan.

The above was subsequently dismissed on appeal under ref: APP/G5180/D/21/3285496 on the 27th of April 2022.

5. CONSULTATION SUMMARY

A) Statutory

5.1 No statutory consultees.

B) Adjoining Occupiers (addressed in Para 7 - 8)

5.2 Objections:

- A similar application was declined a number of years ago.
- Overdevelopment of the site
- Risk of unbalancing properties
- Loss of light to number 3 if extended across the back
- Already substantially developed and extended in 2014. To date 8 applications have been made, with only one approved and two failed appeals.
- Disagree with applicant's statements – planning history is not outdated.
- Loss of light to neighbouring conservatory, patio and rear garden.
- Loss of amenity
- Loss light, sunlight, and warmth to neighbouring clear roof conservatory will be detrimental given the height and location of the first-floor rear extension
- Knock on effect to neighbouring rear rooms, overcrowding of gardens and patio area
- Loss of privacy
- View from neighbouring bedroom will be reduced by 50%
- Not subservient to the host property
- Does not respect amenity of occupiers of neighbours. Contrary to policy.
- Will affect sunlight received by neighbours due to orientation.
- Rear gardens of 1 and 3 are more than 1m lower than the ground floor of the houses, increasing dominance.
- Neighbouring garden at Number 3 is 'L-shaped' and will be more dominant due to closer proximity.
- Previous appeal was rejected due to impact on the living conditions of Number 3 from the second storey rear element and character of the area.
- Condition 3 of Planning Permission ref: 14/00684/FULL6 requires windows in the first-floor flank to be obscured, however this condition was never abided by. Windows much closer to neighbouring properties.
- Submission includes documents submitted with the previous appeal and should not be of relevance due to differing position of the site in comparison to the examples given.

- Any further ground floor extension should be prohibited as part of this application.
- This application is not fundamentally different to the rejected scheme.

Please note the above is a summary of objections received and full text is available on the Council's website.

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 published on 24 July 2018 and updated on 19 February 2019.
- 6.4 The development plan for Bromley comprises the, the London Plan (March 2021) and Bromley Local Plan (Jan 2019).

London Plan (March 2021)

D4 Delivering good design

Bromley Local Plan (January 2019)

- 6 Residential Extensions
- 8 Side Space
- 37 General design of development

Supplementary Planning Guidance

SPG1 General Design Principles

SPG2 Residential Design Guidance

7. ASSESSMENT

The main issues relating to the application are:

- Design and resubmission/planning history
- Neighbouring Amenity

Design – Acceptable.

- 7.1 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.
- 7.2 Policy 8 of the Bromley Local Plan requires a minimum of 1 metre side space from the flank wall of any development two storeys or more to the boundary to prevent a cramped appearance within the street scene and to safeguard the amenities of neighbouring residents.
- 7.3 The application dwelling forms one half of a pair of semi-detached properties adjoined with No. 3 Hartfield Road and is in a prominent position on the corner of Hartfield Road and Harvest Bank Road.
- 7.4 The Inspector of the most recent appeal summarised the character of the road, observing that 'Hartfield Road is predominantly characterised by two-storey, semi-detached dwellings, which are set back from front boundaries. The road is tree lined with grass verges. The principle elevations of several of the semi-detached pairs on the road have distinctive gable-fronted catslide roof forms. Many of these properties also have first floor side extensions of varying designs. However, there is generally visual cohesion between individual semi-detached pairs. This is the case with the appeal dwelling and Number 3 Hartfield Road which have matching cat-slide roof forms, front bay windows and first floor side additions of comparable scale. The appeal dwelling and other corner dwellings in the area vary in orientation and design but are generally set away from their side boundaries. Overall, these factors combine to give a spaciousness and a general consistency to the street scene, providing for a pleasant suburban character.'
- 7.5 There is extensive planning history relating to the application dwelling which has been summarised within the planning history section of this report. This includes several previously refused applications for extensions at the dwelling, as well and one approved application (ref: 14/00684/FULL6), which granted planning permission for the part one/two storey side/rear extension currently in existence. The extension proposed under this current application would adjoin the side and rear of the existing first floor side extension at the property.
- 7.6 Like the previous refusal, the current proposal still retains a first-floor side extension. Previously, the extension sat just behind the existing first floor addition, but the current scheme now includes a c.3.4m set back. However, unlike the previous refusal, the addition now extends beyond the rear elevation of the property and extends the depth of the existing projection at first floor level.

7.7 The Inspector of the most recent appeal observed: -

‘Even accounting for its position and set back from the principal elevation of the dwelling, the first-floor extension would combine with the existing first-floor side addition to form an elongated side projection. This would appear at odds with the host dwelling’s original catslide form. As a result of the incremental additions, the front elevation of the dwelling would also have a disjointed appearance. The first-floor extension would therefore not complement the host dwelling and would also visually unbalance the respective semi-detached pair.’

7.8 The added width of the proposed first floor and rearward projection would be appreciable from surrounding vantage points due to the exposed nature of the corner, but it would now be more subservient in appearance when view from the frontage, minimising the impact on the original cat-slide form of the property and it would not have such a significant disjointed appearance. Additionally, this set back would still allow for the original cat-slide to be a main feature of the building and would no longer result in material harm to the visual symmetry of the semi-detached pair.

7.9 The Inspector of the appeal found no conflict with Policy 8 of the BLP in respect of side space and no objections are therefore raised in respect of the current proposal. It is noted that previous refusals have also objected to the projection beyond the forward building line of the Harvest Bank Road properties, but this has not been noted as a specific objectionable point by the Planning Inspector of the most recent appeal. A suitable condition requiring the use of matching materials would help the extension harmonise with the existing building. Therefore, when having regards to the above, it is considered that the revised scheme has on balance, overcome previous objections.

Neighbouring amenity – Acceptable.

7.9 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.

7.10 The proposed extension would adjoin and deepen the existing first floor side addition. The first-floor rear projection is similar to the proposal made under ref: 13/02437/FULL6. This was refused and subsequently dismissed on appeal due to the impact of the rear projection on the adjoining neighbour at Number 3. That application included a 3m deep rear projection, which was set back from the shared boundary with Number 3 Harvest Bank Road by 3.2m. The Inspector of that appeal found that: -

‘The proposed development seeks, in part, to extend the property at first floor level along the side of the property and projecting to the rear beyond the existing building line. The neighbouring property at No. 3 is situated to the north of the appeal site, with the rear of the property facing northwest. Given the orientation of the neighbouring property and its close relationship with the

appeal site, the second storey element of the proposal projecting beyond the rear building line would be likely to significantly reduce the levels of sunlight currently afforded to the private patio area and rear-facing rooms of No. 3 during the early afternoon. This overshadowing would be especially harmful during the winter months when the sun is lower in the sky and sunlight is most desirable.'

- 7.11 The current proposal includes the rear extension of the existing first floor addition. This would have a total projection of 2.5m beyond the rear elevation and it would now be set back from the shared boundary with Number 3 by c.4.2m. Number 3 is located to the north of the application site and has now been extended by way of a single storey conservatory with glazed roof. It is considered that the rear projection would not be overbearing, dominant or intrusive for Number 3 due to the reduced depth, greater set back from the common boundary and neighbouring development which was built after the 2014 Appeal Decision. Additionally, the above factors would reduce the impact in respect of daylight, sunlight, and overshadowing. Further, the development would not breach the BRE general 45-degree guidance relating to light. Therefore, when weighing up the previous reason for refusal, inspector's conclusions, and current proposals the impact in respect of daylight, sunlight and overshadowing are now considered to be acceptable. When also having regard to the fenestration arrangement it is not considered that there would be unacceptable overlooking or loss of privacy.
- 7.12 The remaining surrounding neighbours are set back at a sufficient distance and would not be adversely impacted by the proposal in respect of visual impact, light, overshadowing and privacy.

Other Matters

- 7.13 Comments have been received from the RSPB Bromley Local Group requesting that the installation of one or more integral swift nest bricks is recommended as a biodiversity enhancement.
- 7.14 Whilst the Council seeks to support and enhance biodiversity across the Borough as stated within Policy 79 of the Bromley Local Plan, given the minor nature of the development it would be considered unreasonable to require such a condition in this instance.

8. CONCLUSION

- 8.1 The proposal has satisfactorily overcome previous objections and the impact on the character and appearance of the dwelling and street scene are acceptable. The impact on neighbouring amenities is not also considered to be acceptable.
- 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:

SUMMARY OF CONDITIONS AND INFORMATIVES
Standard Condition(s)

1. Time limit of 3 years
2. Drawing number
3. Matching Materials
4. Obscured Glazing

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