

Committee Date	08.02.2024	
Address	51 Sweeps Lane Orpington BR5 3PE	
Application Number	23/04083/FULL6	Officer - Jennie Harrison
Ward	St Mary Cray	
Proposal	Reduction of height and depth of existing extension	
Applicant	Agent	
Mr A Soile	Mr A Martin	
51 Sweeps Lane Orpington BR5 3PE	Lyondale Crown House Home Gardens Dartford DA1 1DZ	
Reason for referral to committee	Effective enforcement notice at the site	Councillor call in No

RECOMMENDATION	Permitted
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<p>KEY DESIGNATIONS</p> <p>Area of Archaeological Significance Article 4 Direction Biggin Hill Safeguarding Area London City Airport Safeguarding Renewal Area Smoke Control SCA 20</p>

Representation summary	Letters to neighbours were sent out on the 26.10.2023 and 15.01.2024
Total number of responses	2
Number in support	0
Number of objections	2

1. SUMMARY OF KEY REASONS FOR RECOMMENDATION

- The depth of the extension would be reduced to that which was previously approved from application with reference 04/03570/FULL6
- The height of the extension would be reduced from 4.2m to 3m

2. LOCATION

- 2.1. The site hosts a part two/three storey semi-detached dwelling which is situated on the Northern side of Sweeps Lane, Orpington.

Figure 1: Location Plan:



3. PROPOSAL

- 3.1 An enforcement notice under ref: 21/00368/CHANGE, was issued on 26th May 2022. An appeal was subsequently submitted and upheld. The notice required:
- Removal unauthorised extension
 - Removal from the land all resulting debris and materials as a result of the above.
 - The period for compliance with the requirements was 10 months.
- 3.2 To address the enforcement notice planning permission is sought part-retrospectively for a single storey rear extension with a reduced height and depth from that which is currently on site.

Figure 2: Existing and proposed ground floor plan:



Figure 3: Existing and proposed rear elevation:



Figure 4: Existing and proposed side elevation:



Figure 5: Existing and proposed front elevation:

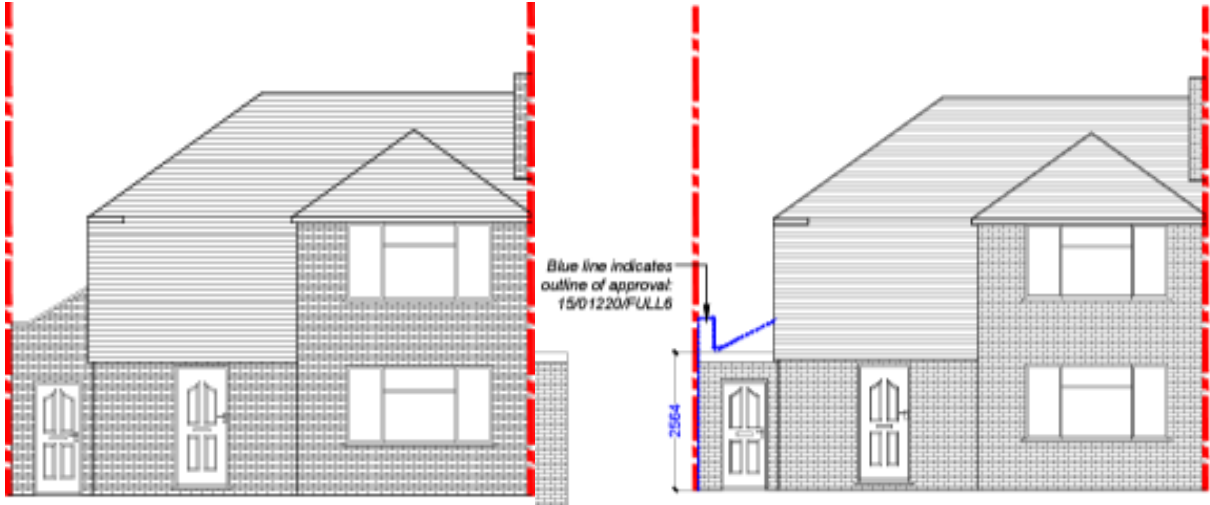


Figure 6: Photograph of the site from the front:



Figure 7: Photograph of the site from the rear:



4. RELEVANT PLANNING HISTORY

- 4.1. The relevant planning history relating to the application site is summarised as follows:
- 4.2. 03/02216/FULL6 - Single storey rear extension for conservatory – Permitted
- 4.3. 04/03570/FULL6 - Single storey side/rear extension - Permitted
- 4.4. 15/01220/FULL6 - Single storey rear/side extension - Permitted
- 4.5. 21/04728/FULL6 - Single storey rear/side extension (RETROSPECTIVE) - Refused

For the following reasons:

1. *The proposed extension, by way of its combined scale, excessive height, depth and siting, would result in a dominant, visually intrusive and overbearing form of development, which overwhelms the rear elevation of the host building and adversely impact the amenities of No. 49 Sweeps Lane by reason of loss of outlook and increased sense of enclosure, contrary to Policies 6 and 37 of the Bromley Local Plan.*

The appeal decision concluded:

“The excessive overall height, depth and scale of the extension has introduced an overly dominant and visually discordant feature, which fails to harmonise with the host building and the surrounding area. Therefore, the development has a harmful effect upon the character and appearance of the host building and the area.”

“The unauthorised rear extension is built along the shared boundary with 49 Sweeps Lane (No 49), which also has a single storey rear and side extension along this boundary. However, the structure at No 49 is relatively small in height and width. The unauthorised rear extension at No 51 is far greater in width and height than the neighbouring rear extension constructed at No 49, and the height of the extension rises well above the existing boundary treatment, which has resulted in a large expanse of the flank wall of the extension, built along this boundary.”

“The unauthorised extension appears as a dominant feature in the outlook from windows in the rear elevation of this neighbouring property at ground floor level and from the garden itself. In this respect the unauthorised rear extension creates an increased sense of enclosure to the neighbouring occupiers of No 49, which harms their living conditions.”

- 4.6. 23/01327/FULL6 - Reduction of height of existing extension - Refused

For the following reason:

1. *The proposed extension, by way of its combined scale, excessive height, depth and siting, would result in a dominant, visually intrusive and overbearing form of development, which overwhelms the rear elevation of the host building and adversely*

impact the amenities of No. 49 Sweeps Lane by reason of loss of outlook and increased sense of enclosure, contrary to Policies 6 and 37 of the Bromley Local Plan.

5. CONSULTATION SUMMARY

A) Statutory

None were received.

B) Local Groups

None were received.

C) Adjoining Occupiers

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

- Plans do not reflect the existing materials
- Concerns regarding how excessive rainwater will be drained
- Floor plan still extends out excessively relative to the original house
- Would not conform to the look and feel of the other residential houses
- Overly dominant and visually discordant
- Unauthorised developments and repetitive plans are draining for neighbours
- Worse outlook for number 49
- Materials are not in keeping
-

6. POLICIES AND GUIDANCE

National Planning Policy Framework 2023

NPPG

The London Plan

- D1 London's form and characteristics
- D4 Delivering good design

Bromley Local Plan 2019

- 6 Residential Extensions
- 37 General Design of Development

Bromley Supplementary Guidance

- Urban Design Supplementary Planning Document (July 2023)

7. ASSESSMENT

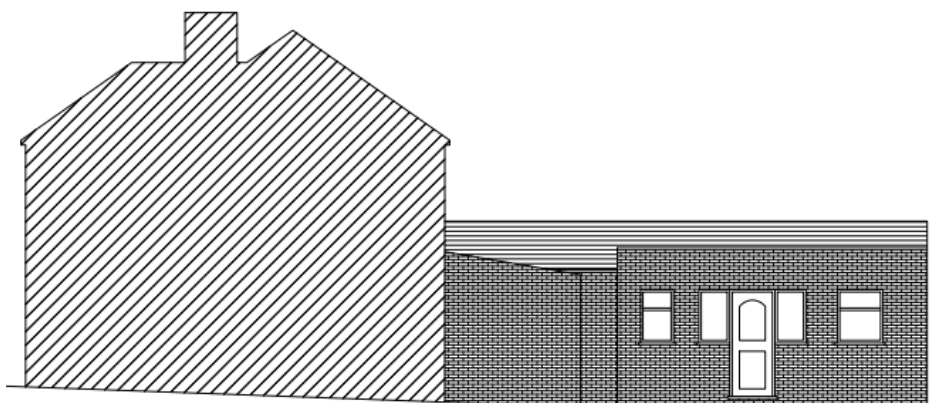
7.1 Resubmission

- 7.1.1 Under reference 23/01327/FULL6 for 'Reduction of height of existing extension' where the pitched roof remained and was reduced to a maximum height of 3.8m. The floor plans and depth of the extension remained unchanged.

Figure 8: Existing elevations from 23/01327/FULL6



Figure 9: Proposed elevations from 23/01327/FULL6





7.1. Design - 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 BLP policies further reinforce the principles of the NPPF setting out a clear rationale for high quality design.
- 7.1.3. Policies 6 and 37 of the Bromley Local Plan and the Council's Supplementary Planning 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.
- 7.1.4. The alterations to the extension would introduce a significant expanse of flat roof, and whilst this would not reflect the character and appearance of the existing dwelling, this would not have any significantly detrimental impact on the character and appearance of the host dwelling.
- 7.1.5. A small part of the extension would be visible from the front of the property, however the alterations to the roof would not have any significant impact on the character and appearance of the street scene.
- 7.1.6. The extension is proposed to be reduced in depth by 0.9m, whilst this is a small alteration to the overall depth, this would comply with the permission that was granted in 2004 and would have a height of 2.9m. It is considered that this reduction in bulk would, on balance, help to maintain the character and appearance of the host dwelling and street scene.
- 7.1.7. Having regard to its scale, siting and appearance, the proposal would complement the host property and would not appear out of character with surrounding development or the area generally.

7.3 Neighbourhood Amenity – Acceptable

7.3.1 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.

7.3.2 The proposed alterations to the extension would significantly reduce the bulk of the development and would be similar in scale to the proposal that was permitted under references 04/03570/FULL6 and 15/01220/FULL6.

Figure 10: Proposed plans from 15/01220/FULL6 (permitted), 23/01327/FULL6 (refused) and 23/04083/FULL6 (left to right)

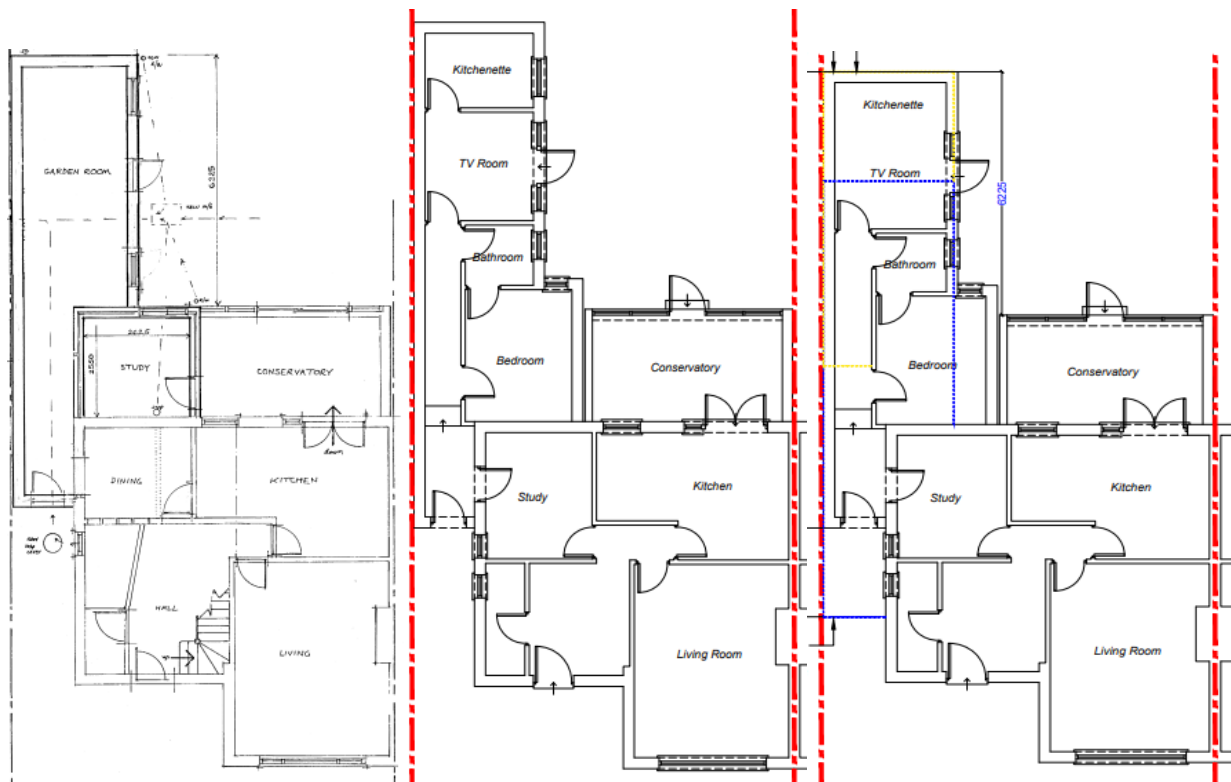
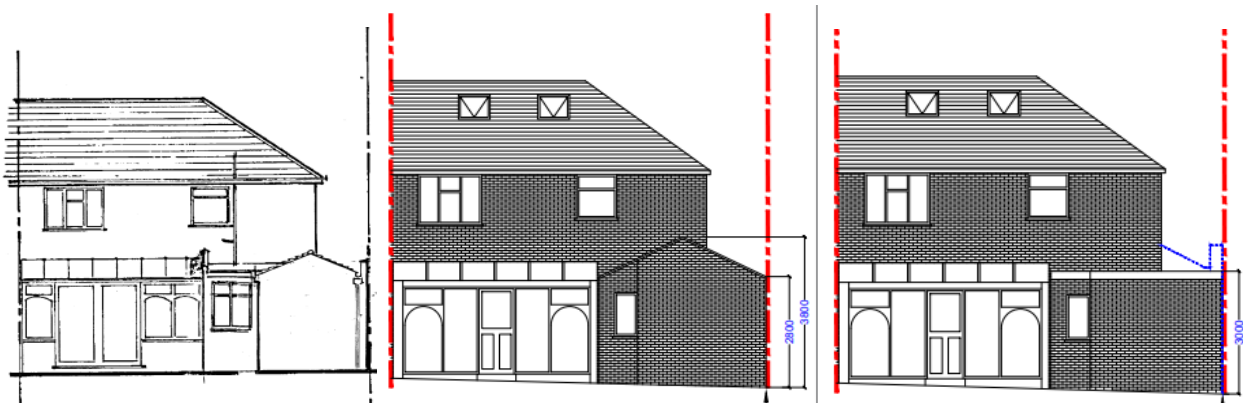


Figure 11: Proposed rear elevations from 15/01220/FULL6 (permitted), 23/01327/FULL6 (refused) and 23/04083/FULL6 (left to right)



- 7.3.3 The proposal would reduce the height to 3m and would reduce the rear extension in depth, so that it would project 10m from the original rear wall of the host dwelling. The dwelling at number 49 benefits from additions along the boundary, and this would help to provide some screening to the extension.
- 7.3.4 Previous alterations to the proposal under references 21/04728/FULL6 and 23/01327/FULL6, whilst making reductions did not reduce the bulk so significantly as the current proposal. It is considered therefore, that the reductions now proposed would help to lessen the impact on the amenities of the adjoining occupiers.
- 7.3.5 Whilst it is noted that the eaves would be higher than that which was permitted under reference 15/01220/FULL6, this proposal also included a parapet wall which had a height of 3m along the boundary, as can be seen in figure 11.
- 7.3.6 The proposal would incorporate a flat roof with a maximum height of 3m, it is considered therefore that the impact on the amenities of neighbouring properties and No. 49 in particular, would not be over and above that which was permitted under 15/01220/FULL6.
- 7.3.7 The case officer has assessed the proposal against the above mentioned policy in terms of the impact on neighbouring residential properties with specific regard to the above-mentioned criteria. Representations made by local residents have also been taken into account.
- 7.3.8 Having regard to the scale and siting of the development, it is not considered that a significant loss of amenity with particular regard to light, outlook, prospect or 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.

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. Standard Compliance with Plans**
- 2. Alterations to be implemented within 4 months**
- 3. Occupation restricted to members of household at 51 Sweeps Lane**

And delegated authority be given to the Assistant Director: Planning & Building Control to make variations to the conditions and to add any other planning condition(s) as considered necessary.