

Committee Date	11.07.2024	
Address	17 Chesterfield Close Orpington BR5 3PG	
Application Number	23/03189/FULL6	Officer - Jennie Harrison
Ward	St Mary Cray	
Proposal	The proposed erection of a single storey rear extension, and the proposed erection of an out-building in the rear garden.(RETROSPECTIVE)	
Applicant	Agent	
Mr M. Newton	Mr Matthew Hardcastle	
17 Chesterfield Close Orpington BR5 3PG	Hardcastle Architects 33 Lockhurst Street Lower Clapton London E5 0AP United Kingdom	
Reason for referral to committee	Councillor call in	
	Call-In	Yes - Cllr Slator called in due to size and bulk being out of character and impact on no. 19

RECOMMENDATION	Permitted
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<p>KEY DESIGNATIONS</p> <p>Article 4 Direction Biggin Hill Safeguarding Area London City Airport Safeguarding Open Space Deficiency Renewal Area Smoke Control SCA 26</p>

Representation summary	Letters to neighbours were sent out on the 21.08.2023	
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 host building or area generally.
- The development would not adversely affect the amenities of neighbouring residential properties.

2. LOCATION

- 2.1. The site hosts a two storey semi-detached dwelling which is situated on the western side of Chesterfield Close, Orpington.

Figure 1: Location Plan



3. PROPOSAL

- 3.1. Planning permission is sought retrospectively for a ground floor rear extension, that has a depth of 4.5m, a width of 6.1m and a height of 3.85m inclusive of the parapet wall. The proposal also includes a single storey detached outbuilding to the rear that has a depth of 6.25m, a width of 4m and a height of between 2.8m and 3.2m due to the topography of the garden.
- 3.2. This application was on the agenda for the meeting on the 11th January 2024 but the item was withdrawn from the meeting as revised plans were required. Subsequently

revised plans have been provided (15.05.24), these plans removed the temporary structure in the middle of the garden and also annotated the height and depth of the extension and outbuilding.

Figure 2: Pre-existing ground floor plan

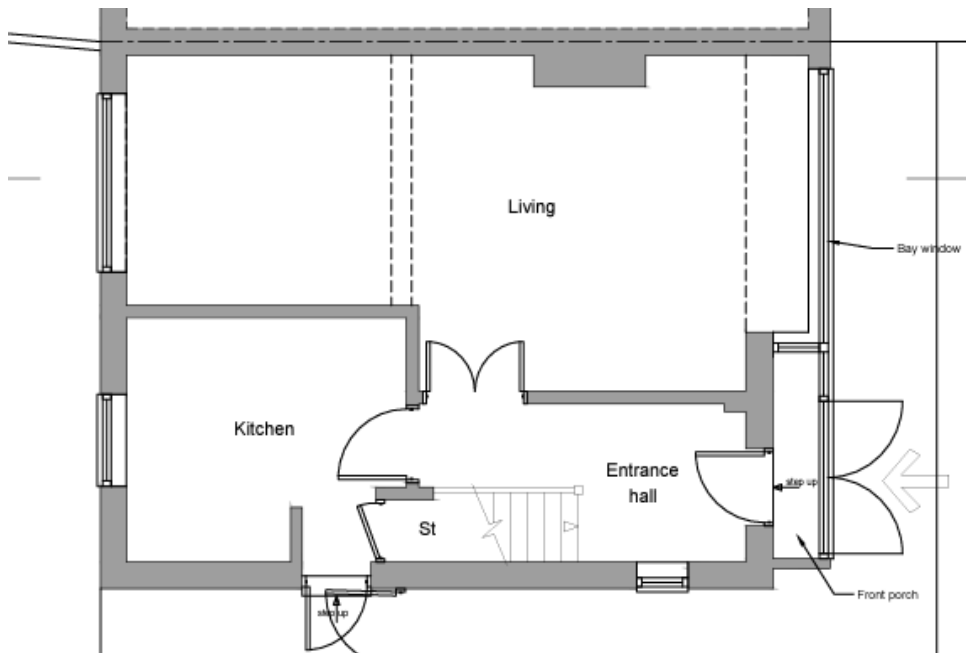


Figure 3: Existing ground floor plan

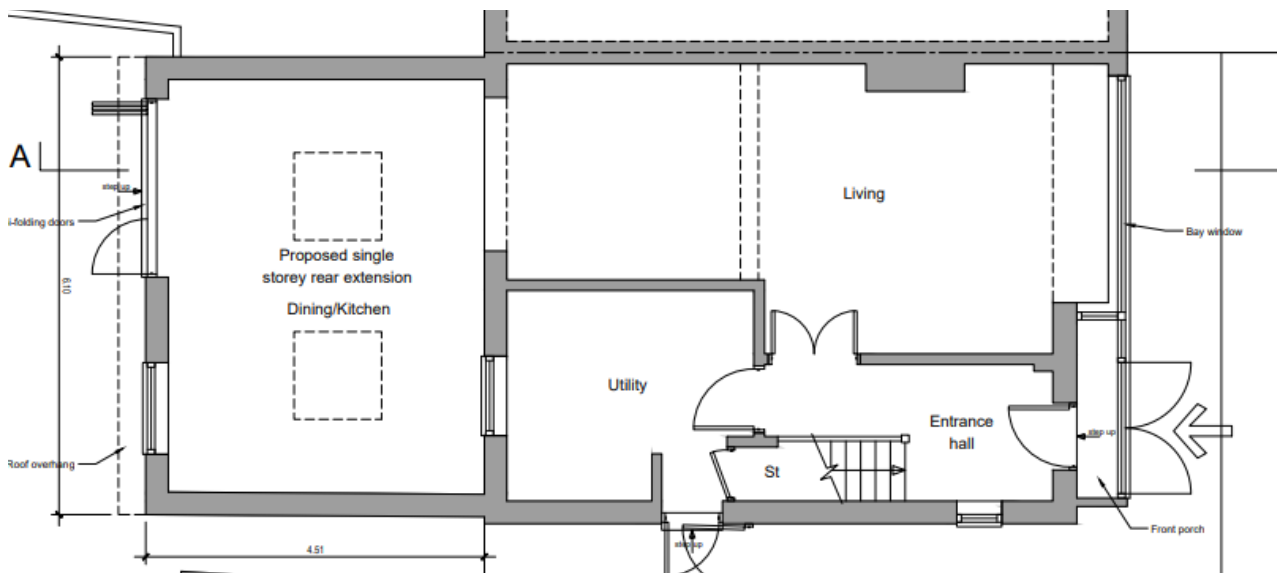


Figure 4: Pre-existing rear elevation



Figure 5: Existing rear elevation



Figure 6: Pre-existing side elevation

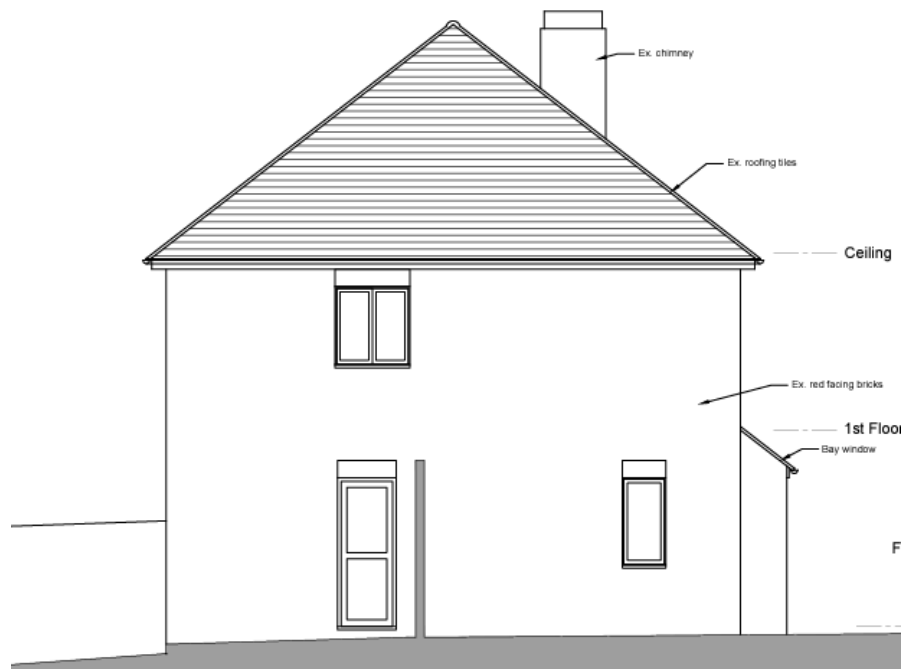


Figure 7: Existing side elevation



Figure 8: Existing rear extension photograph



Figure 9: Existing outbuilding location

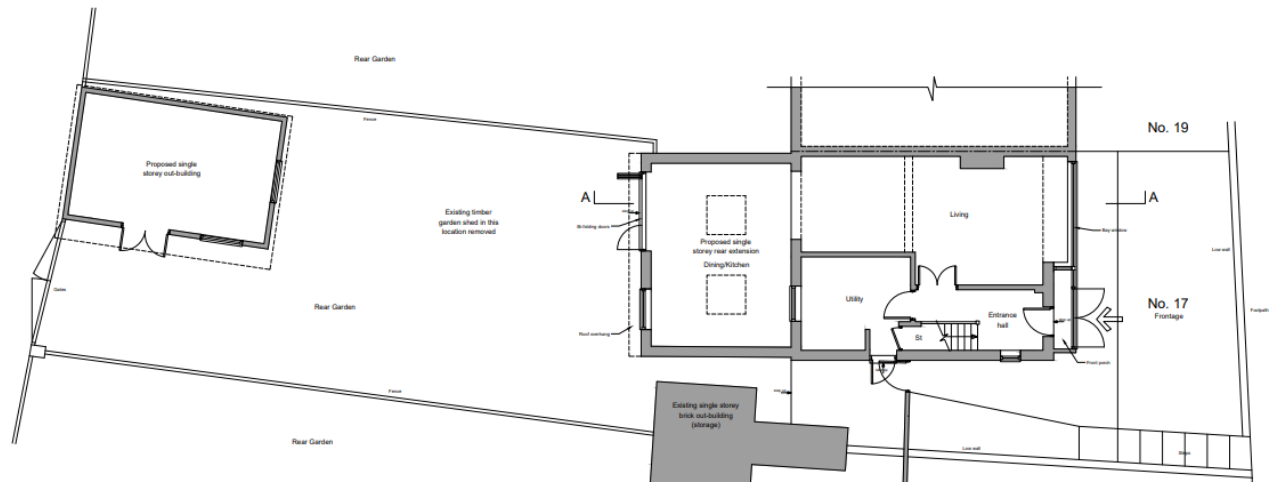


Figure 10: Existing outbuilding elevations

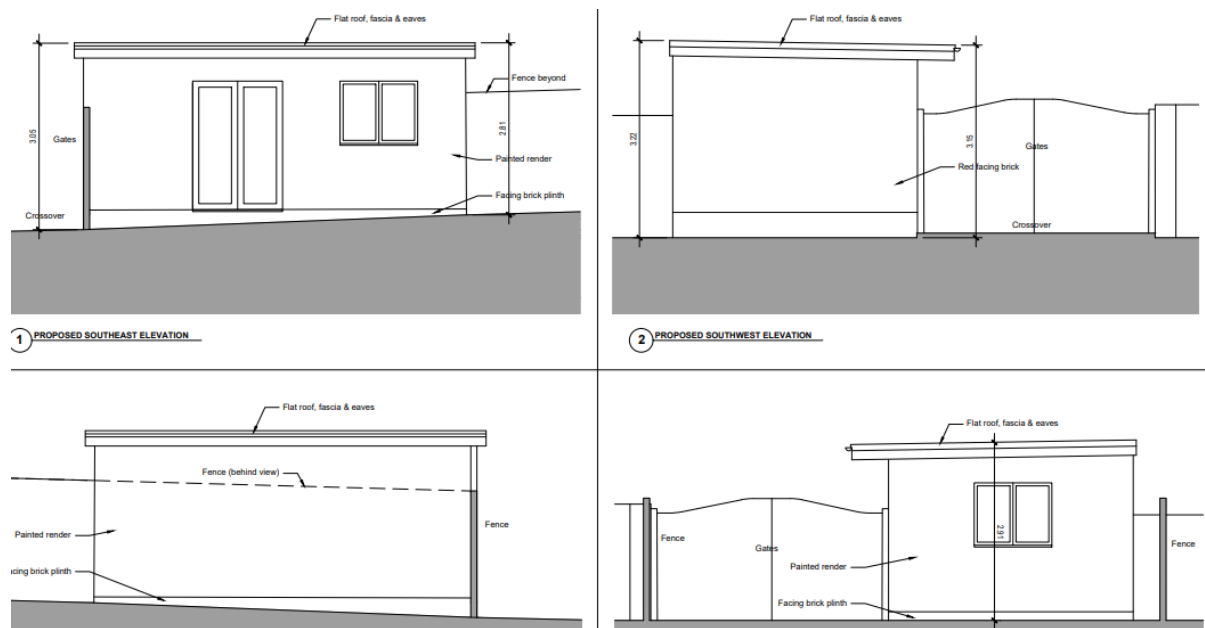


Figure 11: Outbuilding photograph



4. RELEVANT PLANNING HISTORY

4.1. The relevant planning history relating to the application site is summarised as follows:

4.2. 23/03180/PLUD - Proposed hip to gable loft conversion with rear dormer roof extension and front opening roof windows. **LAWFUL DEVELOPMENT CERTIFICATE (PROPOSED)** – Proposed use/development is lawful.

5. CONSULTATION SUMMARY

A) Statutory

None were received.

B) Local Groups

None were received.

C) Adjoining Occupiers

Impact on neighbouring amenity (addressed in para 7.2.2 – 7.2.4)

- Using the roof as a sitting out space
- Large wooden shed in the middle of the garden blocking light
- Loss of light to neighbouring patio

Drainage (addressed in para 7.3.1)

- Drainage concerns due to drain being moved

Other Matters (addressed in para 7.3.1)

- Building control application includes a loft conversion
- No structural engineer attended
- Damage was caused to neighbouring property
- Unsociable working hours
- Boundary dispute
- Unclear on the use of the outbuilding
- No party wall agreement
- Threats made to neighbour

6. POLICIES AND GUIDANCE

National Planning Policy Framework 2023

NPPG

The London Plan

- D1 London's form and characteristics
- D3 Optimising site capacity through the design-led approach
- 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. 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 single storey rear extension incorporates a flat roof and is constructed out of matching materials. Whilst the flat roofed design this does not reflect the character and appearance of the host dwelling this is not uncommon in a residential setting such as this, and there are examples of flat roofed extensions in the area. As such taking this into account and together with the use of matching materials, it is considered that the extension would not appear out of keeping with the host dwelling or surrounding area generally.
- 7.1.5. The outbuilding is sited at the rearmost part of the garden and has facing brickwork fronting Wotton Green with render to the other sides and a flat roof. The overall scale of the proposed outbuilding is considered proportionate to the main dwelling and the surrounding development. Due to the siting, scale and use of materials for the outbuilding, it is considered that there would be no significant harm to the character and appearance of the host dwelling or wider area.
- 7.1.6. The rear of the property adjoins Wotton Green, and as such both the extension and outbuilding is visible from the road, however it is considered that the scale and siting is appropriate for this residential area.
- 7.1.7. Having regard to its scale, siting and appearance, the proposed development would not appear out of character with surrounding development or the area generally.

7.2. Neighbouring Amenity – Acceptable

- 7.2.1. 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.

- 7.2.2. The rear extension projects out 4.51m and is located on the boundary with the adjoining neighbour No. 19 which is to the north-west. This property does not have a rear extension. The rear extension has a flat roof with a parapet wall to a maximum height of approx. 3.7m along this boundary. Whilst it is noted that neighbours have raised concern about the impact of the rear extension, it is considered that, on balance, the rearward projection together with the height of the parapet wall, the extension would not result in significantly detrimental impacts on this neighbouring amenity in terms of loss of light or increased sense of enclosure.
- 7.2.3. With regards to the neighbouring occupiers at No. 15, they benefit from an outbuilding which is sited along the boundary and the structure is shared with No. 17. This outbuilding would provide screening from the rear extension, which is set in from the boundary by a minimum of 2.3m, as such it is considered that there would be no significant amenity impact on this adjoining occupier.
- 7.2.4. Comments were raised in regard to the use of the flat roof of the rear extension being used as a terrace/balcony. Given the elevated position should permission be forthcoming, a condition should be included to prevent use of this flat roof for sitting out.
- 7.2.5. The outbuilding is located to the rear of the garden fronting Wotton Green, the outbuilding is 6.25m in length and 4m wide with a flat roof to a height of 2.81m increasing to 3.22m due to the topography of the rear garden. The outbuilding is shown to be a single room. The outbuilding is stated to be for family use however there is limited detail provided of the proposed use. Therefore, it is considered that a condition should be imposed restricting the use of the outbuilding to one that is incidental to the main dwelling. Given the scale and siting of the outbuilding at the rear, it is considered that there would be no significant impact on the outlook and amenity of adjoining occupiers.
- 7.2.6. Concerns were also raised about the temporary structure in the middle of the garden, this application does not seek permission for this structure in the garden, the originally submitted plans showed that this was to be removed. This element has been removed from the revised plans and the temporary structure has been removed from site and does not form part of this proposal. In addition, prior to the submission of the latest revised plans the outbuilding was larger on site than shown on the drawings, this extension has also been removed from site and again does not form part of this proposal.
- 7.2.7. 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.

7.3. **Other Matters – Acceptable**

- 7.3.1. Neighbours have raised concerns in regard to several other issues including the party wall, working hours, and conduct of workers and residents of the property, however

these are either private/civil matters or covered by separate legislation and as such cannot be controlled by this application.

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

As amended by documents received on 15.05.24

Subject to the following conditions:

- 1. Retain in accordance with the plans**
- 2. Flat roof not to be used as a terrace/balcony**
- 3. Restrict use of outbuilding to incidental to main house**

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.