

**LONDON BOROUGH OF BROMLEY**

**TOWN PLANNING  
RENEWAL AND RECREATION DEPARTMENT**

**DELEGATED DECISION on 2nd October 2017**

**17/02763/FULL1**     **1 Ullswater Close**  
**Victoria Wood**     **Bromley**  
                                 **BR1 4JF**

**Description of Development**

Single storey rear extension, second floor extension, subdivision of property to form 2 3-bed houses with associated landscaping, parking and refuse.

**Proposal**

The application site is located on the corner of Ullswater Close and Coniston Road and sits adjacent to a three-storey end of terrace residential dwelling, which is set within a cul-de-sac development. The surrounding properties are of an identical design and are residential in character. There are no parking restrictions within either Ullswater Close or Coniston Road from which the close is accessed.

Planning permission is sought for the construction of a single storey rear extension, first floor extension, subdivision of property to form 2 3-bed houses with associated landscaping, parking and refuse.

The single storey rear extension would project 3.35m and the full width of the host building and the extension (9.7m wide) with flat roof to a maximum height of 2.8m (rooflight 0.3m).

First floor side extension would have a maximum height of 2.4m to create a continuation of the existing terrace and located above the existing two-storey extension.

Sub-division of the property to form 2 3-bed units. The properties would be layout with living space on the ground floor, (living room/kitchen and dining areas) three bedrooms (two double and one single) a bathroom over the first and second floors. Two parking spaces are proposed for the new property and one space for the donor.

**Consultations**

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

- o Over-development of a single residential property and out of character with the Wimpey designed estate of Ullswater Close and Coniston Road which have provided comfortable and adequate living conditions for countless families since they were constructed in 1970's.
- o Over the years there has been a trend to convert the integral garage into extra living space and while this is understandable it does compromise the frontal appearance of relevant houses.

- o No 1 Ullswater Close has long been a cuckoo in the nest with its particular modifications. And now the owner wants to increase living space still further. What is wrong with simply selling up and moving to a bigger house? Instead the intention is to jeopardise the locality with a grossly over developed site.
- o Another negative trend recently has been the wilfull ending of the original open plan aspect of the estate with the erection of tall fences (e.g. 2 Ullswater Close).
- o Clearly the current application will give rise to more adults and more vehicles being parked in already crowded streets.
- o The extension will further increase congestion in the close bringing with it the associated issues of congestion in the close. 2 new builds (houses) have been built in the past 6 years alone!
- o Concern that the proposed development will be infringing on my right to peacefully enjoy my garden without have my view obstructed by a protrusion of a building who's inhabitants will be looking straight into my garden.
- o It will be unsightly and will distort the original aesthetics of the building and row of terraces.
- o It would break the present harmonious appearance as the development would be out of line with all the other houses, thus creating a discordant aspect to the whole estate.
- o Will introduce noise and disruptions to the close for a considerable number of months.
- o Concern over increase in parking in the road.
- o Concern over loss of light from the proposed extension to neighbouring property given the length of the existing garden, the proposed extension will cover 1/3 and together with the orientation the extension will block light to the patio area.
- o The garden of the neighbouring property slopes down after the patio and as such the new extension would impact on the garden.
- o Young fruit trees could also be adversely affected by the protrusion of the proposed development. While there are small trees and shrubbery on our neighbours' side of the dividing fence, sunlight still reaches my small garden to a much greater extent than would be the case if there was a solid brick wall in their place.

#### Highways:

The proposal involves the creation of an additional 3 bed dwelling alongside the amended existing 3 bed dwelling.

The site location has a PTAL rating of 2 (low) where a minimum of 1.5 spaces per dwelling is desirable. 3 off-street parking spaces are proposed, to be shared, according to the D&A, between the 2 dwellings. This meets the required parking standard but has the potential to give rise to neighbourly issues in terms of how the arrangement might be used.

However, the location is not subject to waiting restrictions and both Ullswater Close and Coniston Road can accommodate some on-street parking without significant detriment to the free flow of traffic or conditions of safety in the highway.

The proposal includes for the slight widening of the existing crossover to accommodate 3 cars and this in turn could necessitate the re-siting of the existing lamp column in the footway of Ullswater Close.

There are no objections to the proposal from the highway point of view.

Please apply the following to any permission

H03  
H18  
H22  
H29  
H32

DI 03 .. the re-siting of the existing lamp column in Ullswater Close ..  
streetworks.enquiries@bromley.gov.uk

DI 16

Environmental Health - Housing:

Ensure the development is constructed in accordance with the Housing Act 2004 Part 1  
- Housing Health and Safety Rating System (HHSRS).

Environmental Health - Pollution:

No comment received.

Drainage:

Small extension. No Comment.

### **Planning Considerations**

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

National Planning Policy Framework (NPPF) (2012):

The NPPF confirms that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise.

Chapter 6 - Delivering a wider choice of high quality homes

Chapter 7 - Requiring Good Design

London Plan (2016):

- 3.3 Increasing Housing Supply
- 3.4 Optimising Housing Potential
- 3.5 Quality and Design of Housing Developments

- 3.8 Housing Choice
- 3.9 Mixed and Balanced Communities
- 5.1 Climate change mitigation
- 5.2 Minimising Carbon Dioxide Emissions
- 5.3 Sustainable Design and Construction
- 5.7 Renewable Energy
- 5.9 Overheating and cooling
- 5.10 Urban Greening
- 5.11 Green Roofs and Development Site Environs
- 5.12 Flood Risk Management
- 5.13 Sustainable Drainage
- 5.14 Water quality and wastewater Infrastructure
- 5.15 Water use and supplies
- 5.16 Waste self-sufficiency
- 5.17 Waste capacity
- 5.18 Construction, excavation and demolition waste
- 6.5 Funding Crossrail and other strategically important transport infrastructure
- 6.9 Cycling
- 6.12 Road Network Capacity
- 6.13 Parking
- 7.1 Lifetime Neighbourhoods
- 7.2 An Inclusive Environment
- 7.3 Designing Out Crime
- 7.4 Local Character
- 7.5 Public Realm
- 7.14 Improving Air Quality
- 7.15 Reducing and Managing Noise, Improving and Enhancing the Acoustic Environment and Promoting Appropriate Soundscapes.
- 7.19 Biodiversity and Access to Nature
- 8.3 Community Infrastructure Levy

Housing: Supplementary Planning Guidance. (March 2016)

Technical housing standards - Nationally Described Space Standard (March 2015)

Unitary Development Plan (2006):

- BE1 Design of New Development
- BE7 Railings, Boundary Walls and Other Means of Enclosure
- H1 Housing Supply
- H7 Housing Density and Design
- H9 Side Space
- NE7 Development and Trees
- T3 Parking
- T18 Road Safety

Supplementary Planning Guidance 1: General Design Principles  
 Supplementary Planning Guidance 2: Residential Design Guidance

Draft Local Plan (2016):

The Council is preparing a Local Plan. The submission of the Draft Local Plan was made to Secretary of State on 11th August 2017. These documents are a material

consideration. The weight attached to the draft policies increases as the Local Plan process advances.

Draft Policy 1 Housing Supply  
Draft Policy 4 Housing Design  
Draft Policy 37 General Design of Development  
Draft Policy 30 Parking  
Draft Policy 32 Road Safety

#### Planning History

Planning permission was granted in 1975 (LE/268/H/TP) for a two storey side extension including a garage.

In 1988 permission was granted for a conservatory to the rear of the property.

Following this in 2001 (01/3873) permission was granted for the conversion of garage into habitable room.

The following are also considered relevant:

19A Ullswater Close:

15/02592/FULL1 - Planning permission was allowed at appeal for the demolition of the existing garage to the side of 19 Ullswater close and the construction of a three storey 3 bedroom house and associated parking.

39A Ullswater Close:

06/01611/FULL1 - Planning permission was granted for a three storey end of terrace house with integral garage.

#### Conclusions

It is considered the planning issues and considerations relate to:

- o Principle of development and density;
- o Design and scale;
- o Neighbouring amenity;
- o Standard of accommodation;
- o Car parking and access;
- o Cycle parking;
- o Refuse;
- o landscaping; and
- o Community Infrastructure Levy

Principle of development and density:

National, regional and local plan policies promote redevelopment of brownfield sites and optimising site potentials. There is however no presumption in favour of development sites created from rear gardens of residential houses. In this respect, policy 3.5 of the London Plan (2015) states that housing developments should be of the highest quality internally, externally and in relation to their context.

Section 6 of the National Planning policy Framework (NPPF) requires that the design of new housing significantly enhances its immediate setting and should be sensitive to the defining characteristics of the local area. Section 7 further states that permission should be refused where a development fails to improve the character and quality of an area. Policy H7 of the Unitary Development Plan (UDP) clearly outlines the Council's policies for new housing.

Supplementary Planning Guidance No. 2 (Residential Design Guidance) states "local context is of particular importance when adding new buildings to established areas. Building lines, spaces between buildings, means of enclosure and the use and location of garden or amenity space should all respect the character of the locality".

Policy H7 seeks to prevent unacceptable residential developments on backland and infill sites and will be expected to meet all of the following criteria:

- (i) the development complies with the density ranges set out in the density/ location matrix at Table 4.2 below;
- (ii) in the interest of creating mixed and balanced communities, the development provides a mix of housing types and sizes, or provides house types to address a local shortage;
- (iii) the site layout, buildings and space about buildings are designed to a high quality and recognise as well as complement the qualities of the surrounding areas;
- (iv) adequate private or communal amenity spaces are provided to serve the needs of the particular occupants;
- (v) off street parking is provided at levels no more than set out in the Table at Appendix II. These are maximum parking standards. A higher provision will be acceptable only where it can be demonstrated that complying with the maximum standards would not be in the interest of the safety of highway users, or where additional parking is required to meet the needs of particular users, such as those with disabilities;
- (vi) the layout is designed to give priority to pedestrians and cyclists over the movement and parking of vehicles; and
- (vii) security and crime prevention measures are included in the design and layout of buildings and public areas.

This is supported in London Plan Policies 3.4 and 3.5.

The application site fronts onto Ullswater Close and this would form the basis of its character reference for the proposal in terms of plot sizes and built pattern of development. Plots in the area are predominantly rectangular in shape with front amenity spaces and rear gardens. The proposed development proposes the construction of an end of terrace dwelling, the area is characterised by terraced town houses with the width of the plots ranging from 5-6m and up to 15m on the corner. The new house would have a plot width of 12.5m reducing to 6.7m and the host property around 5m. The new plot would still have a plot size similar to the others corner plots in the road, and as such the proposal would fit into the established pattern, of development and the character of the area.

The site has a public transport accessibility level (PTAL) of 2 on a scale where 1 is poor and 6 is excellent. In terms of density Table 3.2 of the London Plan (LP) and Policy H7 of the UDP provide a density matrix and states for suburban areas with a PTAL of 1-2 in LP or 1-2 in UDP the density level should be between 150-250hr/ha. The density level at this site is proposed to be approximately 200hr/ha (5 habitable room at a site area of 0.025ha) which is within the ranges set out above, however, density is only one aspect of the acceptability of the proposal.

The site is currently developed for a less dense residential use. Therefore in this location the Council will consider additional residential development provided that it is designed to complement the character of surrounding developments, the design and layout make suitable residential accommodation, and it provides for garden and amenity space. Any adverse impact on neighbouring amenity, conservation and historic issues, biodiversity or open space will need to be addressed. Therefore the provision of the new dwellings on the land may be acceptable in principle subject to an assessment of the impact of the proposal on the appearance/character of the surrounding area, the residential amenity of adjoining and future residential occupiers of the scheme, car parking and traffic implications, sustainable design and energy, community safety and refuse arrangements.

It is considered that the construction of an end-of-terraced dwelling would be acceptable on balance in this instance given the size of the new plot and donor plot together with the design and layout would be compliant with Policies 3.4 and 3.5 of the London Plan and Policies H1 and H7 of the UDP.

#### Design and Scale:

London Plan Policy 7.4 requires developments to have regard to the form, function, and structure of an area, place or street and the scale, mass and orientation of surrounding buildings. Policy 7.6 also relates to architecture and how buildings should be of the highest architectural quality, be of a proportion, composition, scale and orientation that enhances, activates and appropriately defines the public realm and comprise details and materials that complement, not necessarily replicate, the local architectural character.

Policy BE1 requires a high standard of design in new development and the scale and form of new residential development to be in keeping with the surrounding area, and the privacy and amenities of adjoining occupiers to be adequately safeguarded.

Policy H9 states that when considering applications for new residential development, including extensions, the Council will normally require the following:

(i) for a proposal of two or more storeys in height, a minimum 1 metre space from the side boundary of the site should be retained for the full height and length of the flank wall of the building; or

(ii) where higher standards of separation already exist within residential areas, proposals will be expected to provide a more generous side space. This will be the case on some corner properties.

The Council considers that the retention of space around residential buildings is essential to ensure adequate separation and to safeguard the privacy and amenity of adjoining residents. It is important to prevent a cramped appearance and unrelated terracing from occurring. It is also necessary to protect the high spatial standards and level of visual amenity which characterise many of the Borough's residential areas.

Gardens are not classified as brownfield land and the sensitive nature of these sites requires development only to be allowed where it will not adversely affect the local environment, its character and context, and where it will not lead to over development.

The proposed new house would be joined with No. 3 Ullswater Close and have a side space of 7.5m decreasing to 4.5m from the south-western boundary with Coniston

Road. Policy H9 states that "minimum 1 metre space from the side boundary of the site should be retained for the full height and length of the flank wall of the building or where higher standards of separation already exist within residential areas, proposals will be expected to provide a more generous side space. This will be the case on some corner properties". The Council considers that the retention of space around residential buildings is essential to ensure adequate separation and to prevent a cramped appearance on corner plots with particular regard to UDP Policy H9. The proposal would not result in a terracing effect, or with a new property that would be significantly forward of the established building line. It is considered that in this instance the new house is on the corner respects the existing spacious corner junctions of the area.

The proposed second floor extension to the existing two storey extension is designed to be a continuation of the existing terraces town houses, it is shown to have a pitched roof to a maximum height of 9.6m (eaves 7.5m) which is the same height as the ridge of the donor dwelling. The design of the new house and newly formed terrace are seen within the borough most notably No. 19A and 39A, the neighbouring properties are identical terraces and given the design proposed the new house would not appear alien to the established layout, pattern and distinctive character and appearance of dwellings in the area.

The proposal also includes a single storey rear extension to both the donor dwelling and the new dwelling. The extension is to project 3.35m deep, 9.7m wide (~4.9m wide per unit). The extension is to have a flat roof to a maximum height of 2.8m (and rooflight projecting a further 0.3m) resulting in a modern and contemporary design approach which contrasts against the host building. Given that views of this element would be restricted to the rear of the property, flexibility can be shown in terms of assessing the design and as such it is considered that the extension would not appear overly bulky or dominant, and would not detract from the character and appearance of area generally given its limited size.

Given all of the above it is considered that the proposed extension to the existing two storey extension and single storey rear extension and sub-division of the plot would comply with Policy 7.6 of the London Plan and Policies H9 and BE1 of the UDP in that the dwelling would have proportion, composition and scale that enhances, activates and appropriately defines the public realm. As such it is considered that the proposal does in this instance have regard to the form, function, and structure of the surrounding area and would provide a positive relationship between the proposed and existing urban context.

Neighbouring Amenity:

Policy BE1(v) of the UDP that new development will only be permitted where it can be demonstrated that the proposal does not cause an unacceptable loss of amenity to adjacent occupiers by reducing the amount of daylight, sunlight or privacy they enjoy or result in an un-neighbourly sense of enclosure. This is supported by Policy 7.6 of the London Plan.

The proposed third storey extension would be located on top of the existing two storey side extension as a continuation of this terrace. Given the location of the extension it is considered that this increase would not result in a loss of amenity in terms of light and increased sense of enclosure to any neighbouring property.

In terms of outlook, the fenestration arrangement will provide front and rear outlook for the new house overlooking the rear amenity space and street. The outlook from



windows from the proposed property is considered to maintain a suitable level of privacy at the intended distances to existing neighbouring property. There are no flank windows proposed.

With regards to the single storey rear extension this is shown to project ~3.35m. Whilst it is noted that the adjoining neighbour at No. 3 does not benefit from an extension given the orientation of the site and the design of the extension with the flat roof which has a maximum height of 2.8m (rising to a further 0.3m for the rooflight) it is considered that the extension would not have any significant impact on the neighbour's amenities in terms of loss of light or outlook over and beyond the current situation. In terms of sense of enclosure the flank wall of the extension would only be 0.8m above a fence that could be constructed.

In terms of increased noise and disturbance associated with an additional dwelling the currently extended dwelling provides substantial living accommodation and could provide a 5-bed unit which in itself could generate a number of occupants and associated activity and comings and goings. The extension together with the subdivision of the plot would provide two 3-bed units would inevitably generate activity that would increase the potential for noise and disturbance as a result of having two dwellings, however given the location of the development and the existing situation it is considered that on balance the development would not be harmful to the existing living conditions of the occupants of the neighbouring properties.

For these reasons, it is considered that the proposed development is acceptable and complies with policy on neighbouring amenity.

Standard of accommodation:

Policy 3.5 of the London Plan and the Housing SPG (2016) states the minimum internal floorspace required for residential units on the basis of the level of occupancy that could be reasonably expected within each unit should comply with Nationally Described Housing Standards (2015). In addition, consideration needs to be given to Policies 3.8 and 7.2 of the London Plan.

The floor space size of each of the new unit would be approximately 117 and 114.4m<sup>2</sup>. The nationally described space standard requires 99m<sup>2</sup> for a 3-storey five person three bed roomed unit. On this basis, the floorspace provision for the unit and donor unit is in excess of the required standards and is similar to the adjoining properties and is therefore considered acceptable.

The shape and room sizes in the proposed building are considered satisfactory. None of the rooms would have a particularly convoluted shape which would limit their specific use.

The proposed amenity space to the rear would be accessed from the ground floor the donor property would provide a rear garden similar to those in the estate, the new dwelling would have a side/rear garden which is considered to be acceptable for a unit of this size given the size of the neighbouring gardens.

Car Parking and Access

London Plan Policy 6.13 requires the maximum standards for car parking, which is supported by Policy T3 of the UDP. The proposed development would provide 1 off-street parking spaces (and a new parking space for the original unit).

The Council's Highway Officer has reviewed the application and not raised objection due to adequate on site provision and suitable access and manoeuvring arrangements.

#### Cycle parking

London Plan requires two cycle spaces per dwelling, details of a lockable storage has been provided, however subject to further details required in a condition no objection is raised in this regard.

#### Refuse

All new developments shall have adequate facilities for refuse and recycling. The applicant has provided details of refuse storage. Further details regarding a containment structure can be conditioned as necessary.

#### Trees and landscaping

An indicative landscaping layout has been submitted as shown on the proposed site plan drawing that details the areas given over to garden for external amenity for future occupiers.

#### Community Infrastructure Levy

The Mayor of London's CIL is a material consideration. CIL is payable on this application and the applicant will be required to completed the relevant form.

#### Summary:

Having had regard to the above, it is considered that the proposal for the construction of a single storey rear extension, second floor extension, subdivision of property to form 2 3-bed houses with associated landscaping, parking and refuse would not have a detrimental impact on the character of the area and street scene generally. The creation of a new corner plot would conform to the general built pattern of development in the area and would not have a detrimental impact upon the established layout pattern and locally distinctive character and appearance of dwellings in the immediate vicinity in compliance with the objectives of the National Planning Policy Framework (2012), 3.4, 3.5 and 7.6 of the London Plan (2015) and Policies BE1, H1, H7 and H9 of the UDP (2006).

#### **Decision**

Application Permitted

**For conditions or grounds of refusal please refer to the Decision Notice**