

**LONDON BOROUGH OF BROMLEY**  
**TOWN PLANNING**  
**RENEWAL AND RECREATION DEPARTMENT**

**DELEGATED DECISION on 30th July 2018**

**18/02574/FULL6**      **2 Ullswater Close**  
**Louisa Bruce**      **Bromley**  
                                 **BR1 4JF**

**Description of Development**

Single storey side extension

**Proposal**

Planning permission is sought for a single storey side extension which would be built to the south-western side of the property. The side extension would measure 7.1m in depth x 4.5m in width x 2.6m (eaves height) / 4.5m (maximum height). New patio doors are shown to extend across the ground floor rear elevation of the extension and main dwellinghouse.

The extension would provide a living/dining area which would connect to the kitchen at the rear. The extension is to be finished in brickwork to match the host building.

The application is a resubmission of a previous submission (Application Ref:- 18/00210/FULL6) which was refused planning permission on 29.03.2018.

Revised drawings were received by the agent on 28.06.2018 & 03.07.2018 which changed the roof profile of the side extension from sloping to a pitched roof. The application is also accompanied by an Arboricultural Report.

**Location and Key Constraints**

The application property is an end of terrace three storey townhouse which is located on Ullswater Close, close to the junction with Coniston Road and Ellstree Hill. Given it's corner location, the property benefits from a grassed area to the front and side which separates the property from the footway/highway. The surrounding area is residential in nature with the properties in Ullswater Close and no's 123-137 Coniston Road which lie immediately adjacent to the site being characterised by terraces of three storey townhouses.

**Comments from Local Residents and Groups**

Nearby owners/occupiers were notified of the application and one letter of representation was received which can be summarised as follows:-

- o The applicant has made plain his desire to utilize the open plan aspect of his property, ideally in the form of a house extension or at least a fenced garden area.

- o His current fencing arrangement has totally enclosed the open plan garden (designed and sold by George Wimpey in 1972), destroyed a low retaining wall which marked the green way through to Ullswater Close and generally spoilt the elegant curve of the Coniston Road terrace.
- o The latest application for a single storey extension is merely a ploy to get some house extension into being. He is determined to do whatever he thinks will enhance the value of his plot, at the expense of his neighbours in terms of the aesthetics of the locality.

### Comments from Consultees

Tree Officer- I am satisfied that the tree can be retained providing the works accord with the Arboricultural submission. No objections subject to that condition.

### Policy Context

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.

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.

The National Planning Policy Framework was published on 24th July 2018. According to paragraph 48 of the NPPF decision takers can also give weight to relevant policies in emerging plans according to:

- a) The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- b) The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- C) The degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF

The Council is preparing a Local Plan. The submission of the Draft Local Plan was subject to Hearings from 4th December 2017 and the Inspectors report is awaited. These documents are a material consideration. The weight attached to the draft policies increases as the Local Plan process advances.

The development plan for Bromley comprises the Bromley UDP (July 2006), the London Plan (March 2016) and the Emerging Local Plan (2016). The NPPF does not change the legal status of the development plan.

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

### London Plan Policies

- 7.4 Local Character
- 7.6 Architecture

## Unitary Development Plan

BE1 Design of New Development  
H8 Residential Extensions  
H9 Side Space  
NE7 Development and Trees

## Emerging Local Plan

Draft Policy 6 Residential Extensions  
Draft Policy 8 Side Space  
Draft Policy 37 General Design of Development  
Draft Policy 73 Development and Trees

## Supplementary Planning Guidance

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

## Planning History

The property was originally constructed as part of a development for 30 townhouses and garages under ref: 70/00936, with subsequent landscaping details allowed under ref: 70/02198.

Under ref: 72/00323 planning permission was refused for the conversion of the existing integral garage to form utility room and erection of substitute attached single garage at side.

Under ref: 72/03223 planning permission was refused for a detached garage.

Under ref: 16/03372 planning permission was refused for boundary fence at side to match existing.

Under ref: 17/02986/TPO permission was granted to fell 4 x sycamore trees.

Under ref: 17/02986/TSPDL permission was refused to fell 1 x sycamore tree.

Under ref: 18/00210/FULL6 planning permission was refused for a two storey side extension. The reasons for refusal read as follows:-

The proposed extension would, by reason of its size, bulk and close proximity to the side boundary, result in a cramped form of development on this prominent corner site, detrimental to the visual amenities of the street scene and the character of the surrounding area, thereby contrary to Policies BE1, H8 & H9 of the Unitary Development Plan and Policies 6 & 37 of the Bromley Draft Unitary Development Plan.

The application has failed to address the impact on the sycamore tree situated in the front garden. This tree was subject of a previous application refused in part. No supporting arboricultural information has been provided. In the absence of this

information, the application conflicts with Policy NE7 of the Bromley Unitary Development Plan (adopted July 2006).

## Considerations

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

- o Resubmission
- o Design
- o Trees
- o Neighbouring amenity
- o CIL

## Resubmission

Under planning application ref:- 18/00210/FULL6 planning permission was refused for a two-storey side extension. The reason for refusal stated:-

The proposed extension would, by reason of its size, bulk and close proximity to the side boundary, result in a cramped form of development on this prominent corner site, detrimental to the visual amenities of the street scene and the character of the surrounding area, thereby contrary to Policies BE1, H8 & H9 of the Unitary Development Plan and Policies 6 & 37 of the Bromley Draft Unitary Development Plan.

The application has failed to address the impact on the sycamore tree situated in the front garden. This tree was subject of a previous application refused in part. No supporting arboricultural information has been provided. In the absence of this information, the application conflicts with Policy NE7 of the Bromley Unitary Development Plan (adopted July 2006).

Following the refusal of the previous application the drawings have been amended with the following changes:-

- o Two storey side extension has now become a single storey side extension
- o An Arboricultural Report has been submitted with the application which makes an assessment of the trees on the boundary of the site.

## Design

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.

The NPPF requires Local Planning Authorities to undertake a design critique of planning proposals to ensure that developments would function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development. Proposals must establish a strong sense of place, using streetscapes and

buildings to create attractive and comfortable places to live, work and visit; optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses and support local facilities and transport networks. Developments are required to respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation. New development must create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion; and are visually attractive as a result of good architecture and appropriate landscaping.

London Plan and UDP policies further reinforce the principles of the NPPF setting out a clear rationale for high quality design.

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

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.

The side extension would leave a 1.2m side space to the boundary. Given the extension is now only single storey and a side space is retained to the boundary of the site it is considered that the side extension would respect the existing spacious corner junctions of the area.

The side extension would be just under the width of the main dwellinghouse but on balance the side extension is considered to be subservient. The revised plans show that the roof of the side extension will match that of the main dwellinghouse and will therefore not look of character in the wider streetscene. The proposed single storey side extension is considered to be a sympathetic addition to the property.

#### Trees

Policy NE7 states that proposals for new development will be required to take particular account of existing trees on the site and on adjoining land, which in the interests of visual amenity and/or wildlife habitat, are considered desirable to be retained. Tree preservation orders will be used to protect trees of environmental importance and visual amenity. When trees have to be felled, the Council will seek suitable replanting.

The application property is located on the corner of Ullswater Close and Coniston Road and benefits from an area of grass which forms part of the side and front garden of the host dwelling. There are a number of trees located along the edge of the grassed area adjacent to the footway of Coniston Road and the application. The applicant applied in 2017 to have 5 sycamore trees felled. Permission was granted to fell 4 as they were deemed early specimens grown with poor form however a sycamore (in the front of the property) was worthy of retention given its maturity, height and normal vitality.

The Council's Tree Officer was consulted regards the current application and having assessed the Arboricultural report raises no objection subject to a condition that the existing trees are protected during construction.

#### Neighbouring amenity

Policy BE1 of the UDP and Policy 7.6 of the London 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.

One letter of objection has been received which relates to the fact that the proposed side extension would enclose the space next to the side of the property thereby spoiling the open nature of this part of Ullswater Close/Coniston Road. Whilst this area of garden of No.2 will be lost and replaced with a single storey side extension is not considered the extension would erode the spatial characteristics of the area, with a 1.2m being retained to the boundary. As can be seen from Officer's site photographs No.19 has an existing garage which has been built to the side of the property and this is not considered to harm the spatial character of the wider streetscene.

Having regard to the form, scale, siting and proposed materials it is considered that the single storey side extension would complement the host property and would not appear out of character with surrounding development or the area generally.

## Conclusion

Having had regard to the above, it was considered that the proposal is acceptable in that it would not impact detrimentally on the character of the surrounding area.

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.

## Decision

Application Permitted

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