

**LONDON BOROUGH OF BROMLEY**

**TOWN PLANNING  
RENEWAL AND RECREATION DEPARTMENT**

**DELEGATED DECISION on 8th November 2019**

**19/03715/FULL6**     **Hillary Mount**  
                                 **Crab Hill**  
**Victoria Wood**     **Beckenham**  
                                 **BR3 5HH**

**Description of Development**

Part one/two storey rear extension, side and flank dormers together with elevational alterations

**Proposal**

Planning permission is sought for the construction of a part one/two storey rear extension, side and rear dormers together with elevational alterations. The development can be divided into 8 main elements:

1. Part one/two storey rear extension would project 2.7m and 6.5m in width at ground floor decreasing to 4.5 at first floor;
2. Alterations to front gable and increase in height;
3. Flank dormer to provide ensuite to bedroom 1;
4. Rear dormer;
5. Accommodation in the roofspace;
6. Replacement timber cladding to be stained dark anthracite;
7. Replacement of windows;
8. Front window to be replaced with tall double glazed clear window.

**Location and Key Constraints**

The site is located on the western side of Crab Hill and comprises a two storey detached dwellinghouse within substantial grounds located within the Downs Hill Conservation Area.

**Comments from Local Residents and Groups**

Nearby owners/occupiers were notified of the application and no representations were received.

**Comments from Consultees**

Conservation Officer: No objections.

APCA: Objection to the external alterations which are out of character and detriment of the conservation area in particular the proportions and design of windows, cladding and changing proportion all of which are harmful to the architectural integrity of this very characterful building in the woodland setting. LP Policies 37 and 71.

Trees: No objections subject to a Tree Protection 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 24 July 2018 and updated on 19 February 2019.

The development plan for Bromley comprises the Bromley Local Plan (Jan 2019) and the London Plan (March 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 (2016)

7.4 Local character

7.6 Architecture

7.8 Heritage Assets

### Bromley Local Plan (2019)

6 Residential Extensions

8 Side Space

37 General Design of Development

41 Conservation Areas

43 Trees in Conservation Areas

73 Development and Trees

### Supplementary Planning Guidance

SPG1 - General Design Principles

SPG2 - Residential Design Guidance

### Downs Hill Conservation Area SPG

### Planning History:

87/01584/FUL - Planning permission was refused for the construction of a two storey side extension (22.07.1987) for the following reason:

"The proposed extension, by reason of its prominent projection forward of the dwelling would be an incongruous and obtrusive feature in the street scene detrimental to the visual amenities and character of the area".

## Conclusion

It is considered the planning issues and considerations relate to:

- o Design and impact on the Conservation Area
- o Neighbouring amenity
- o Trees

Design and impact on the Conservation Area:

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.

Paragraph 124 of the NPPF (2018) states that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

Paragraph 127 of the NPPF (2018) requires Local Planning Authorities to ensure that developments will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; are visually attractive as a result of good architecture, layout and appropriate and effective landscaping and are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities). New development shall also establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit; optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

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

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. Furthermore, Policy 7.6 of the London Plan states that development 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 should comprise details and materials that complement, not necessarily replicate, the local architectural character.

Policy 37 states that development should be imaginative and attractive to look at, should complement the scale, form, layout and materials of adjacent buildings and areas. Development should not detract from the existing street scene and/or landscape and should respect important views, skylines, landmarks or landscape features. Space about buildings should provide opportunities to create attractive settings with hard or soft landscaping and relationships with existing buildings should allow for adequate daylight and sunlight to penetrate in and between buildings.

Policy 8 of the BLP states that "When considering applications for new residential development, including extensions, the Council will normally require the following:

a - 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 building;  
or

b - where higher standards of separation already exist within residential areas, proposals will be expected to provide a more generous side space".

The site is located within the Downs Hill Conservation Area; therefore Policy 41 of the BLP and Policy 7.8 of the London Plan is relevant to this application. These policies require new developments to respect and complement the layout, scale, form and materials of existing buildings and spaces; respect and incorporate in the design existing landscape or other features that contribute to the character, appearance or historic value of an area and ensure that the level of activity, traffic, parking services or noise generated by the proposal will not detract from the character of appearance of the area.

The NPPF sets out in section 16 the tests for considering the impact of a development proposal upon designated and non-designated heritage assets. The test is whether the proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset and whether it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits. A range of criteria apply.

Paragraph 196/197 state where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset

The site is located within the Downs Hill Conservation Area Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a requirement on a local planning authority in relation to development in a Conservation Area, to pay special attention to the desirability of preserving or enhancing the character or appearance of that area.

Interpretation of the 1990 Act in law has concluded that preserving the character of the Conservation Area can not only be accomplished through positive contribution but also through development that leaves the character or appearance of the area unharmed.

The Council will normally expect the design of residential extensions to blend with the style and materials of the main building. Where possible, the extension should incorporate a pitched roof and include a sympathetic roof design and materials.

The main issues relating to the application are the effect that it would have on the character of the area. In this case it is noted that the existing building makes a positive contribution to the Conservation Area, and the building forms part of cohesive urban form.

The proposal extension and alterations would result in a modern and contemporary design approach which contrasts against the host building. The host dwelling is not listed but is of architectural merit. In terms of the overall size and scale of the development, the part one/two storey rear extension is shown to project 2.7m to the rear elevation together with elevational alterations and side dormer, it is considered that given the size and use of materials the extensions would not overwhelm the original host building and the design would complement the host building. The extension is to be finished in matching materials therefore resulting in a seamless finish blending the extension with the original building.

Given all of the above it is considered that the development proposed would complement the character and appearance of the host dwelling and the conservation area and for these reasons, it is considered that the proposed development is acceptable and complies with policy on design.

Neighbouring Amenity:

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. This is supported within Policy 7.6 of the London Plan.

The existing building on the application site is two storey detached building. In terms of outlook, the fenestration arrangement will provide front, flank and rear outlook over the rear and front curtilage.

There are 2 windows proposed on the southern elevation, one is serving the ensuite and is shown to be obscure glazed and fixed shut, the second is a rooflight with a no windows proposed in the flank elevation and as such there would be no loss of privacy, conditions have been recommended to ensure compliance and to that no windows are inserted in the future.

With regards to loss of light, given the location of the extension which would be sited approximately 9.3m from the southern boundary and 3.2m from the northern boundary and taking into account the siting of the neighbouring properties, it is considered the proposed part one/two storey rear extension and dormer window would not have a significant impact in terms of overshadowing, loss of light, nor would result in an overbearing impact to the neighbouring properties.

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

Trees:

Policy 43 states that development will not be permitted if it will damage or lead to the loss of one or more significant and/ or important trees in a Conservation Area, unless:

- a) Removal of the tree/s is necessary in the interest of good arboriculture practice, or
- b) The benefit of the development outweighs the amenity value of the tree/s.

In granting permission for the development, one or more appropriate replacement trees of a native species will be sought on site through the use of conditions or planning obligations.

The site is located within the Downs Hill Conservation Area and benefits from large trees within the site which are protected under this legislation. These trees provide natural screening and contribute to the aesthetics of the area.

The application is supported with arboricultural input and addresses tree constraints associated with the proposed re-development of the site. The proposed tree works have been justified and would not harm the contribution to the conservation area.

As such no technical objections are raised subject to conditions.

#### Conclusion

Having had regard to the above, it is considered that the proposed single storey side extension would be acceptable in that it would not materially harm the character or appearance of the host building, street scene or Downs Hill Conservation Area generally.

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**