

**Time Limit Expires:** 17 April 2019  
**Application No:** DC/19/111003  
**Delegated / Committee**

**Fast / Normal:**  
**Ward:** Down  
**Fee Paid:** £0.00

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**Location:** 18 HILLBROW ROAD, BROMLEY, BR1 4JL

**Application Dated:** 20 February 2019

**Agent (if any):** MR S EASMON-DURA SED ASSOCIATES

**Applicant:** DR N OKON

**Proposal:** The construction of a first floor extension and the conversion of the existing 2-bedroom bungalow at 18 Hillbrow Road, BR1, to provide 2 x 3-bedroom self-contained units, together with alterations to the front forecourt, and the provision of cycle and refuse storage.

**Plan Nos:** 641-01; 641-02; 641-03; 641-04; 641-05; 641-06; 641-07 Rev A.

**Background Papers:** (1) LE/265/18/TP  
(2) Development Management Local Plan (adopted November 2014)  
and Core Strategy (adopted June 2011)

**DMLP/CI Information:** PTAL 1b  
Local Open Space Deficiency  
Not in a Conservation Area  
Not a Listed Building

**Earliest Decision:** 19/03/2019

### **Consultations and Replies**

Neighbours & Local Amenity Societies etc.

Highways

### **OBSERVATIONS**

#### **Property/Site Description**

the north-western side of Hillbrow Road. The building is currently in use as a two-bedroom, single-family dwellinghouse.

The host building is constructed from red bricks and has a flat roof, with a decorative entrance canopy. The surrounding area is predominately residential in nature comprising detached, single-family dwellinghouses of varying styles, and blocks of flats. The opposite side of Hillbrow Road is within the London Borough of Bromley.

The site has a PTAL rating of 1b, based on a scale of 0-6b with 6b having the highest degree of accessibility to public transport.

### **Relevant Planning History**

None.

### **Current Planning Application**

This application relates to the construction of an additional storey at roof level, to provide 1 x No. three bedroom self-contained flat.

The proposed extension would follow the footprint of the existing building, and would increase the height of the host property by 2.84 metres, bringing the total height of the building to approximately 6.4 metres when measured from the external ground level at the front of the building. The additional floor would take the form of a flat roof extension, and would not be set back from the existing elevations of the building. The materials proposed are similar to the existing.

The application also proposes cycle parking and refuse storage to the side of the host dwelling.

### **Consultation**

Nine neighbouring properties and local ward councillors have been consulted. Two responses have been received, raising the following planning related comments:

- Proposed additional residential unit and increased vehicular traffic will cause further deterioration of the unadopted road and increase traffic nuisance;
- Proposed additional storey will overlook neighbouring garden and reduce privacy.

The Council's Highways Officer has also been consulted on the proposal, and makes the following comments:

- Based on car ownership data, this proposal would only generate one additional vehicle on street. The Council do not have any parking surveys here to suggest there is parking stress at this location and in any event, the applicants could potentially add another off-street parking space.
- Cycle parking should be covered, secure and fully enclosed.
- The location of the refuse bins should be revised so that they are within 10m from the public highway.

### **Policy Context**

#### **Introduction**

Section 70(2) of the Town and Country Planning Act 1990 (as amended) states that in considering and determining applications for planning permission the local planning authority

- (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.

A local finance consideration means:

- (a) a grant or other financial assistance that has been, or will or could be, provided to a relevant authority by a Minister of the Crown, or
- (b) sums that a relevant authority has received, or will or could receive, in payment of Community Infrastructure Levy (CIL).

Section 38(6) of the Planning and Compulsory Purchase Act (2004) states that 'if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise'. The development plan for Lewisham comprises the Core Strategy, the Development Management Local Plan, the Site Allocations Local Plan, the Lewisham Town Centre Local Plan, and the London Plan.

#### National Planning Policy Framework 2019 (NPPF) \_

The revised NPPF was published on 19<sup>th</sup> February 2019 and is a material consideration in the determination of planning applications. It contains at paragraph 11, a 'presumption in favour of sustainable development'. Annex 1 of the NPPF provides guidance on its implementation. In summary, this states in paragraph 213, that policies in the development plan should not be considered out of date just because they were adopted prior to the publication of the NPPF and in regard to existing local policies, that '...due weight should be given to them, according to their degree of consistency with this Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given)'.

Officers have reviewed the Core Strategy and Development Management Local Plan for consistency with the NPPF and consider there are no issues of significant conflict. As such, full weight can be given to these policies in the decision making process in accordance with paragraph 213 of the NPPF.

#### Other National Guidance

The DCLG launched the National Planning Practice Guidance (NPPG) resource on the 6<sup>th</sup> March 2014. This replaced a number of planning practice guidance documents.

#### London Plan Consolidated With Alterations Since 2011 (March 2016) \_

The London Plan was updated on 14 March 2016 to incorporate the Housing Standards and Parking Standards Minor Alterations to the London Plan (2015). The new, draft London Plan was published by the Mayor of London for public consultation on 29 November 2017 (until 2 March 2018). However, given the very early stage in this process, this document has very limited weight as a material consideration when determining planning applications, does not warrant a departure from the existing policies of the development plan in this instance and is therefore not referred to further in this report. The policies in the current adopted London Plan (2016) relevant to this application therefore are:

Policy 3.3	Increasing housing supply
Policy 3.4	Optimising housing potential
Policy 3.5	Quality and design of housing developments
Policy 3.8	Housing choice

Policy 5.2	Minimising carbon dioxide emissions
Policy 5.3	Sustainable design and construction
Policy 6.9	Cycling
Policy 6.10	Walking
Policy 6.13	Parking
Policy 7.4	Local character
Policy 7.6	Architecture

### London Plan Supplementary Planning Guidance (SPG)

The London Plan SPG's relevant to this application are:-

Housing (2012)

### Core Strategy (June 2011)

The Core Strategy was adopted by the Council at its meeting on 29 June 2011. The Core Strategy, together the Development Management Local Plan and the London Plan is the borough's statutory development plan. The following lists the relevant strategic objectives, spatial policies and cross cutting policies from the Lewisham Core Strategy as they relate to this application:

Spatial Policy 1 Lewisham Spatial Strategy  
 Core Strategy Policy 8 Sustainable design and construction and energy efficiency  
 Core Strategy Policy 13 Addressing Lewisham's waste management requirements  
 Core Strategy Policy 14 Sustainable movement and transport  
 Core Strategy Policy 15 High quality design for Lewisham

### Development Management Local Plan (November 2014)

The Development Management Local Plan was adopted by the Council at its meeting on 26 November 2014. The following lists the relevant strategic objectives, spatial policies and cross cutting policies from the Development Management Local Plan of particular relevance to this application:

DM Policy 1	Presumption in favour of sustainable development
DM Policy 2	Prevention of loss of existing housing
DM Policy 22	Sustainable design and construction
DM Policy 29	Car parking
DM Policy 30	Urban design and local character
DM Policy 31	Alterations/extensions to existing buildings
DM Policy 32	Housing design, layout and space standards

### Residential Design Standards Supplementary Planning Document (Updated May 2012)

This document sets out guidance and standards relating to design, sustainable development, renewable energy, flood risk, sustainable drainage, dwelling mix, density, layout, neighbour amenity, the amenities of the future occupants of developments, safety and security, refuse, affordable housing, self containment, noise and room positioning, room and dwelling sizes, storage, recycling facilities and bin storage, noise insulation, parking, cycle parking and storage, gardens and amenity space, landscaping, play space, Lifetime Homes and accessibility, and materials.

### Planning Considerations

- Principle of Development
- Design
- Standard of Accommodation
- Impact on Adjoining Properties
- Highways and Traffic Issues
- Sustainability and Energy

### Principle of Development

The National Planning Policy Framework (NPPF) speaks of the need for delivering a wide choice of high quality homes which meet identified local needs (in accordance with the evidence base) and widen opportunities for home ownership and create sustainable, inclusive and mixed communities.

The current London Plan outlines through Policy 3.3, 3.5 and 3.8 that there is a pressing need for more homes in London and that a genuine choice of new homes should be supported which are of the highest quality and of varying sized and tenures in accordance with Local Development Frameworks. Residential developments should enhance the quality of local places and take account of the physical context, character, density, tenure and mix of the neighbouring environment.

Locally, Core Strategy Policy 1 Housing provision, mix, and affordability sets out that housing developments will be expected to provide an appropriate mix of dwellings having regard to criteria such as the physical character of the building and site and location of schools, shops, open space and other infrastructure requirements (such as transport links).

DM Policy 2 seeks to prevent the loss of housing stating that a core principle of the planning system is the delivery of homes to meet housing need. The loss of housing arising from redevelopment is not consistent with the NPPF, in general conformity with the London Plan or in accordance with the Core Strategy.

The existing building currently comprises a two-bedroom single family dwellinghouse, and the application is located within a predominately residential area. The application does not propose the loss of the existing dwelling, or a reduction in the floorspace of the existing dwelling (as the proposed unit would be wholly located within the additional storey). As such, the proposed scheme is considered to be acceptable in principle subject to design, neighbouring amenity, provision of a good standard of accommodation for occupants and impacts on highways.

### Design

The NPPF states that seeking good quality design in new development is a core planning principle. London Plan Policy 7.4 requires development to have regard to the form, function, and structure of an area, place or street and the scale, mass and orientation of surrounding buildings. It is also required that in areas of poor or ill-defined character, new development should build on the positive elements that can contribute to establishing an enhanced character for the future function of the area. Policy 7.6 seeks the highest quality materials and design appropriate to its context.

In line with this, Core Strategy Policy 15 states that all new development, including alterations, should be of the highest quality of design taking into account the local character and context.

DM Policy 30 carries through the principle of high quality design which complements the existing typology. DM Policy 31 relates to alterations to existing buildings and requires

compliment the form, setting, period, architectural characteristics, detailing of the original buildings including external features, such as chimneys and porches. It further states that high quality matching or complimentary materials should be used in relation to the context.

The ground level of Hillbrow Road gradually decreases from the northern end of the road (No.14) to the southern end of the road (No.36). The ground level also descends from the front to the rear of the application site. Hillbrow Road comprises a mixture of detached bungalows and two storey dwellinghouses along the western side of the road (within Lewisham Borough); and dwellinghouses of varying styles and groups of three and four storey blocks of flats along the eastern side of the road (within Bromley Borough). It is noted that the host property appears similar in character and appearance to Romany Ridge which is located opposite the application site, and No.22 and No.24 located to the south albeit they are larger in scale than the host dwelling.

The proposed additional storey would follow the existing footprint and would increase the additional height by approximately 2.84 metres. The additional floor would take the form of a flat roof extension, and would not be set back from the existing elevations of the host dwelling. The proposed extension is considered to be an acceptable addition, which would be in keeping with the design and appearance of the host dwelling.

When viewed from Hillbrow Road, Officers acknowledge that the application property is considerably lower in height than neighbouring No.14 and No.22. Currently, the front of the application property is not visible from Hillbrow Road owing to significantly overgrown trees and hedges. The proposed additional storey would result in a building with an overall height more akin to No.14 and No.22, and is not considered to have a detrimental impact upon the surrounding area.

In light of the above, the proposed additional storey is considered acceptable with regards design.

#### Standard of Accommodation

DM Policy 32 'Housing design, layout and space standards' and Policy 3.5 'Quality and design of housing developments' of the London Plan requires housing development to be of the highest quality internally, externally and in relation to their context. These policies set out the requirements with regards to housing design, seeking to ensure the long term sustainability of the new housing provision. Informed by the NPPF, the Mayors Housing SPG provides guidance on how to implement the housing policies in the London Plan. In particular, it provides detail on how to carry forward the Mayor's view that "providing good homes for Londoners is not just about numbers. The quality and design of homes, and the facilities provided for those living in them, are vital to ensuring good liveable neighbourhoods".

London Plan Policy 3.5 sets out the minimum floor space standards for new houses relative to the number of occupants. However, in 2015, the 'Technical housing standards – nationally described space standards' were introduced. The alterations to the London Housing SPG adopted these standards. The technical housing standards will therefore be applied in this instance.

With regards to unit type and size, the development seeks to deliver 2 x No. three-bedroom, six person units. An assessment of the proposal against required space standards is considered below.

<b>Unit Type</b>	<b>Room</b>	<b>Size</b>	<b>Required</b>	<b>Compliance</b>
<b>Ground Floor</b>	Unit Size	Approx. 111m <sup>2</sup>	95m <sup>2</sup>	Y

	Floor-Ceiling Height	Approx. 2.7m	2.3m for at least 75%	Y
	Bedroom 1	Approx. 15.3m <sup>2</sup>	11.5m <sup>2</sup>	Y
	Bedroom 2	Approx. 17.7m <sup>2</sup>	11.5m <sup>2</sup>	Y
	Bedroom 3	Approx. 16.7m <sup>2</sup>	11.5m <sup>2</sup>	Y
<b>First Floor Flat</b>	Unit Size	Approx. 110m <sup>2</sup>	95m <sup>2</sup>	Y
	Floor-Ceiling Height	Approx. 2.54m	2.3m for at least 75%	Y
	Bedroom 1	Approx. 16.5m <sup>2</sup>	11.5m <sup>2</sup>	Y
	Bedroom 2	Approx. 15.2m <sup>2</sup>	11.5m <sup>2</sup>	Y
	Bedroom 3	Approx. 16.6m <sup>2</sup>	11.5m <sup>2</sup>	Y

The Design & Access Statement outlines that the existing rear garden would be shared by both flats. This is considered to be acceptable.

#### Impact on Adjoining Properties

Core Strategy Policy 15 'High quality design in Lewisham' seeks to ensure that proposed development is sensitive to the local context. Officers therefore expect proposed development to be designed in a way that will not give rise to significant impacts upon the amenities of existing neighbours and future occupiers.

The main properties to consider in an assessment of the impacts of the proposal upon residential amenities are No.14 and No.22 Hillbrow.

The host property sits approximately 6.5 metres forward of the front elevation of neighbouring No.14, and is set back from the neighbouring property by approximately 4.8 metres. The proposed additional storey would project along the shared boundary with No.14 for a depth of 8.5 metres. Given the staggered position of the properties, Officers do not consider that the development would result in a loss of daylight/sunlight, or appear overbearing to the neighbouring occupants.

The application proposes the installation of a first floor window in the north-eastern elevation of the building, facing towards No.14. If the application were to be approved, a condition would be attached to any permission requiring that the proposed first floor windows in the flank elevation of the development be obscurely glazed and fixed shut 1.7 metres below the relevant floor level.

The host property sits approximately 8 metres back from the front elevation of neighbouring No.22, and is set back from the neighbouring property by approximately 2.8 metres. Given the staggered position of the host dwelling and No.22, the proposed extension is not considered to result in a loss of daylight/sunlight, or appear overbearing to the occupants of the neighbouring property.

The application proposes the installation of three first floor windows in the bay window on the western elevation of the building, facing into the rear garden of No.22. Officers note that there is significant tree coverage along the shared boundary between the application site and

requiring that the two windows located on the south-western and western elevation of the bay window be obscurely glazed and fixed shut 1.7 metres below the relevant floor level.

In light of the above, the proposal is considered to be acceptable with regards impact upon neighbouring properties.

### Highways and Traffic Issues

Core Strategy Policy 14 'Sustainable movement and transport' promotes more sustainable transport choices through walking, cycling and public transport. It adopts a restricted approach on parking to aid the promotion of sustainable transport and ensuring all new and existing developments of a certain size have travel plans.

The application site has a PTAL rating of 1b (very poor). The site currently provides at least one off street parking space for the existing dwelling. Based on car ownership data, this proposal would only generate one additional vehicle on street. The Council do not have any parking surveys here to suggest there is parking stress at this location and in any event, the applicants could potentially add another off-street parking space.

Policy 6.9 of the London Plan maintains that development should provide secure, integrated and accessible cycle parking facilities. The application proposes 2 cycle parking spaces to the side of the host dwelling. Cycle parking should be covered, secure and fully enclosed in accordance with Table 6.3 of the London Plan. If the application were to be approved it is considered that these details could be secured via condition.

The application proposes refuse storage to the side of the host dwelling. Highways request that the location of the refuse bins be revised so that they are within 10m from the public highway. If the application were to be approved it is considered that these details could be secured via condition.

### Sustainability and Energy

The NPPF requires Local Planning Authorities to adopt proactive strategies to mitigate and adapt to climate change. The NPPF requires planning policies to be consistent with the Government's zero carbon buildings policy and adopt nationally described standards.

London Plan and Core Strategy Policies advocate the need for sustainable development. All new development should address climate change and reduce carbon emissions.

The applicant has submitted an Energy Statement detailing how the proposed development will meet current Building Regulation requirements for energy efficiency (baseline scenario), and demonstrates how the building can achieve the required 19% saving in CO2 emissions.

For schemes of this scale, sustainability requirements have been absorbed into Building Regulations meaning the applicant does not have to comply with any particular sustainability requirements at this stage of the development process.

### Community Infrastructure Levy

The development is CIL liable. Any exemptions relevant should be applied for by the applicant prior to the commencement of works.

### Conclusion

In view of the above considerations, the application is recommended for approval.



## Conditions

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which the permission is granted.

**Reason:** As required by Section 91 of the Town and Country Planning Act 1990.

2. The development shall be carried out strictly in accordance with the application plans, drawings and documents hereby approved and as detailed below:

**641-01; 641-02; 641-03; 641-04; 641-05; 641-06; 641-07 Rev A**

**Reason:** To ensure that the development is carried out in accordance with the approved documents, plans and drawings submitted with the application and is acceptable to the local planning authority.

3. No development **above ground** shall commence on site until a detailed schedule and specification/samples of all external materials and finishes to be used on the extension hereby approved have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

**Reason:** To ensure that the local planning authority may be satisfied as to the external appearance of the building(s) and to comply with Policy 15 High quality design for Lewisham of the Core Strategy (June 2011) and Development Management Local Plan (November 2014) DM Policy 30 Urban design and local character.

4. (a) **Prior to first occupation**, full details of proposals for the storage of refuse and recycling facilities for each residential unit hereby approved, have been submitted to and approved in writing by the local planning authority.  
  
(b) The facilities as approved under part (a) shall be provided in full prior to occupation of the development and shall thereafter be permanently retained and maintained.

**Reason:** In order that the local planning authority may be satisfied with the provisions for recycling facilities and refuse storage in the interest of safeguarding the amenities of neighbouring occupiers and the area in general, in compliance with Development Management Local Plan (November 2014) DM Policy 30 Urban design and local character and Core Strategy Policy 13 Addressing Lewisham waste management requirements (2011).

5. (a) **Prior to first occupation**, full details of the cycle parking facilities shall be submitted to and approved in writing by the local planning authority.  
  
(b) All cycle parking spaces as approved under part (a) shall be provided in full prior to occupation of the development and shall thereafter be permanently retained and maintained.

**Reason:** In order to ensure adequate provision for cycle parking and to comply with Policy 14: Sustainable movement and transport of the Core Strategy (2011).

6. No development shall commence on site until a Tree Protection Plan (TPP) has been submitted to and approved by the Council. The TPP should follow the recommendations set out in BS 5837:2012 (Trees in relation to design, demolition and construction – Recommendations). The TPP should clearly indicate on a dimensioned plan superimposed on the building layout plan and in a written schedule details of the location and form of protective barriers to form a construction exclusion zone, the extent and type of ground protection measures, and any additional measures needed to protect vulnerable sections of trees and their root protection areas where construction activity cannot be fully or permanently excluded.

**Reason:** To safeguard the health and safety of trees during building operations and the visual amenities of the area generally and to comply with Policy 12 Open space and environmental assets of the Core Strategy (June 2011), and DM Policy 25 Landscaping and trees and DM Policy 30 Urban design and local character of the Development Management Local Plan (November 2014).

7. Notwithstanding the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking, re-enacting or modifying that Order), the new first floor window to be installed in the **north-eastern elevation** of the extension, and the two first floor windows on the **south-western and western elevation of the bay located on the western elevation** of the extension hereby approved shall be fitted as obscure glazed and fixed shut 1.7m above the relevant floor level, and retained in perpetuity.

**Reason:** To avoid the direct overlooking of adjoining properties and consequent loss of privacy thereto and to comply with DM Policy 31 Alterations and extensions to existing buildings including residential extensions of the Development Management Local Plan (November 2014).

## Informatives

- A. **Positive and Proactive Statement:** The Council engages with all applicants in a positive and proactive way through specific pre-application enquiries and the detailed advice available on the Council's website. On this particular application, no pre-application advice was sought. However, as the proposal was clearly in accordance with the Development Plan, permission could be granted without any further discussion.
- B. As you are aware the approved development is liable to pay the Community Infrastructure Levy (CIL) which will be payable on commencement of the development. An '**assumption of liability form**' must be completed and before development commences you must submit a '**CIL Commencement Notice form**' to the council. You should note that any claims for relief, where they apply, must be submitted and determined prior to commencement of the development. Failure to follow the CIL payment process may result in penalties. More information on CIL is available at: - <http://www.lewisham.gov.uk/myservices/planning/apply-for-planning-permission/application-process/Pages/Community-Infrastructure-Levy.aspx>
- C. You are advised that all construction work should be undertaken in accordance with the "London Borough of Lewisham Code of Practice for Control of Pollution and Noise from Demolition and Construction Sites" available on the Lewisham web page.
- D. The applicant be advised that the implementation of the proposal will require approval

available on the Council's web site.