

SECTION '3' – Applications recommended for PERMISSION, APPROVAL or CONSENT

Application No : 10/02033/FULL1

**Ward:
Petts Wood And Knoll**

**Address : 101 Queensway Petts Wood Orpington
BR5 1DQ**

OS Grid Ref: E: 544296 N: 167580

Applicant : Mr S Gurdere

Objections : YES

Description of Development:

Single storey rear extension to provide additional ground floor retail space.

Key designations:

Primary Shopping Frontage

Proposal

This application seeks permission for a single storey rear extension to an existing commercial premises to the rear of Queensway. The single storey rear extension projects approximately 16 metres to the rear of the existing shop.

Two car parking spaces are provided to the rear of the single storey extension.

Location

The application site is an existing commercial premises with storage and an office to the rear at ground floor level, and a one bedroom flat above at first floor. A detached single storey storage building exists in the rear service yard. The residential unit is accessed from an external stairway at the rear. To the south east at 99 Queensway is a similarly laid out commercial premises with a residential property above, which includes a rear private amenity area for the flat at first floor level. There is a detached car repair workshop to the rear of 99. At 103 there is a commercial premises with flat above, and a large detached building to the rear providing ancillary facilities.

Comments from Local Residents

A number of objections have been received which are summarised below:

- proposal is an overdevelopment of the site
- refuse storage is not shown and existing problems could be compounded
- no parking is provided for new flats and this could impact upon neighbours

Comments from Consultees

The Highways Engineer raises no objection.

Thames Water have no objection to the proposal; neither does the Council's Drainage section

Cleansing has no objection.

Planning Considerations

The proposal falls to be considered with regard to Policies BE1 and S6 of the Unitary Development Plan regarding design and retail development.

Planning History

The site has been the subject of a number of previous proposals all of which were refused and dismissed at appeal recently. The Inspector made a number of relevant comments in dismissing the appeal. In particular he was concerned regarding overlooking and loss of privacy from a walkway which was proposed above a previous single storey rear extension similar to this application. However, he considered that the principle of a single storey extension of this size was acceptable.

The applicant has made reference to a number of sites in the locality which have been granted planning permission and have some similarities to this site. Primarily these are 61, 103 and 105, 123, 109-111, and 129 Queensway and planning permission exists for development on all of these sites. This matter is discussed further in the Planning Considerations section below.

Conclusions

The primary issues in this case are whether the development is acceptable in terms of its impact upon nearby residents, and whether the design suitably reflects the character of the area, both with regard to Policy BE1 of the UDP.

It proposes a significant rearward projection at ground floor level of around 16 metres. The overall design and appearance of the single storey extension is not considered to be significantly harmful to the character of the area, however although it does leave a limited external parking and servicing area at the rear of the site, there are no

technical objections to this. With regard to the additional shop floorspace, there is no conflict with Policy S6 of the UDP.

Although there is permission for two/three storey development at 103 Queensway, this has a road frontage to Woodhurst Avenue and is not directly comparable with this scheme. In particular a substantial parking and refuse area is provided at the rear of the site in that case. The development permitted at 105 and 129 Queensway is comparable to that at 103 and therefore also different from this site for the same reasons. The extensions allowed at appeal at 61 Queensway are more similar to the revised scheme now proposed here, however the ground floor element was considerably smaller.

Notwithstanding comparisons with the other planning permissions within this area, this scheme must be considered on its merits with regard to the relevant UDP policies. The area to the rear of Queensway has experienced a variety of types of development over time and there is no readily identifiable character. The Inspector only raised one issue with regard to a similar proposal in the previous appeal and this was the harm caused by the walkway proposed to gain entry to the residential property above the existing shop. This does not feature in this proposal and a condition can be applied to prevent such a development and indeed any use of the flat roof.

On balance the proposal will have a minimal impact upon the amenities of adjoining properties and for the reasons set out above, the proposal is considered acceptable, subject to safeguarding conditions to prevent the use of the flat roof.

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- 1 ACA01 Commencement of development within 3 yrs
ACA01R A01 Reason 3 years
- 2 The flat roof area of the extension hereby permitted shall not be used for any purpose including sitting out, access to other premises or storage. There shall be no access to the roof unless for essential maintenance purposes and no additional doors or windows shall be inserted in the rear elevation of the existing building so as to gain access to the roof.

Reason: In the interests of the amenities of adjacent residential properties and to comply with Policy BE1 of the Unitary Development Plan.

- 3 The additional floorspace shall only be used in conjunction with the existing retail premises at 101 Queensway and shall at no time be used for any purposes unassociated with the retail shop.

Reason: To prevent an overintensive use of this site which could result in harm to residential amenities and the character of the area and to comply with Policy BE1 of the Unitary Development Plan.

- 4 ACC07 Materials as set out in application
ACC07R Reason C07

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|---|--------|---|
| 5 | ACH03 | Satisfactory parking - full application |
| | ACH03R | Reason H03 |
| 6 | ACK03 | No equipment on roof |
| | ACK03R | K03 reason |
| 7 | ACK19 | No air conditioning |
| | ADK19R | Reason K19 |
| 8 | AJ02B | Justification UNIQUE reason OTHER apps |

Policies (UDP)

BE1 Design of New Development

S6 Retail and Leisure Development - existing centres

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