

**Section '3' - Applications recommended for PERMISSION, APPROVAL or CONSENT**

**Application No :** 15/05369/FULL6

**Ward:**  
Petts Wood And Knoll

**Address :** 43 Towncourt Crescent Petts Wood  
Orpington BR5 1PH

**OS Grid Ref:** E: 544539 N: 168082

**Applicant :** Mr Brian Tienzo

**Objections :** YES

**Description of Development:**

Part single, part two storey rear/side extension and roof alterations incorporating rooflights to create habitable room

Key designations:

Area of Special Residential Character  
Biggin Hill Safeguarding Area  
London City Airport Safeguarding  
Smoke Control SCA 4

**Proposal**

The application site comprises a detached property of brick construction with an applied rough white render and mock Tudor beams to the front elevation. The property hosts a steeply hipped roof profile with black upvc rain water goods and white upvc windows and a two storey gable to the front. The property has off street parking capacity for up to two vehicles provided by an area of hard standing to the front elevation. The topography of the site is relatively flat. The dwelling house is located within the Petts Wood Area of Special Residential Character.

The application is concerned with the development of a two storey side/rear extension, single storey rear extension and conversion of the roof space into a habitable room facilitated by additional velux lights to the rear and side elevations.

**Consultations**

Nearby owners/occupiers were notified of the application and one comment was received in support:

- We are very supportive of no.43s planning application having had a relatively similar house development ourselves. We would only like to request that any new or replacement windows that face no 41 are glazed with obscure glass for both our No 41 and No 43's privacy.

## **Planning Considerations**

The application falls to be determined in accordance with the following policies of the Unitary Development Plan and the London Plan:

BE1 Design of New Development  
H8 Residential Extensions  
H9 Side Space  
H10 Area of Special Residential Character

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

## **Planning History**

90/00279/FUL - Single storey side extension - Permitted

PREAPP/14/00436 - PRE-APP: Two storey rear / side extension with loft conversion

15/01092/FULL6 - Part single, part two storey rear/side extension and roof alterations incorporating roof lights to create habitable room - Application refused

Refusal Reasons:

1. The application does not allow for the required side space to be retained to the common side boundary with the property at No. 45, which would demonstrate a cramped form of development, out of character with the street scene, contrary to Policy H9 of the Unitary Development Plan.
2. The proposed loft conversion includes a partial flat roof profile which is at odds with the design of the neighbouring residential properties within the area of special residential character and is considered an inharmonious and incongruous addition within the wider street scene contrary to Policy BE1 of the Unitary Development Plan.

Appeal APP/G5180/D/15/3129553 was dismissed with the Inspector stating that the changes of the roof resulting from the loft conversion would cause unacceptable harm to the character of the host dwelling and street scene. No concern was raised with regard to the side or rear extensions including the provision of side space.

## **Conclusions**

Members may consider the main issues relating to the application as being the effect that the proposal would have on the street scene and the character of the surrounding area and the impact that it would have on the amenities of the occupants of surrounding residential properties.

The application is concerned with the development of a two storey side/rear extension, single storey rear extension and conversion of the roof space into a habitable room facilitated by additional velux lights to the rear and side elevations. Within Towncourt Crescent several dwellings have been considerably extended with a plethora of large two storey rear/side extensions. The dwellings were once of similar design with catslide roofs to the front elevations and timber clad two storey front facing gables, however, these are now of varying designs, exacerbated by the numerous recent additions. The principle of extending the host property Members may consider is acceptable subject to the size, scale, location and design of the proposal.

The scheme has been amended from the previously refused application to incorporate an amendment to the roof profile in light of the Inspector's comments. The Applicant has incorporated a set down from the ridge to retain the original form of the dwelling house in line with neighbouring properties within the street scene including number 35 and number 37. The Inspector does state within his appeal decision that number 35 does not include a two storey gable like the host dwelling, however this is believed to be an error as number 35 does quite clearly host a two storey gabled frontage and whilst the neighbouring property is wider than number 43, similarities can evidently be drawn. The proposed velux roof light to the rear and side roof space are not considered to negatively impact upon the design of the dwellinghouse nor are they visible from the wider street scene. Members may consider that the roof profile mitigates the previous refusal grounds and is considered an acceptable form of development within the Area of Special Residential Character.

Policy H9 states that when considering applications for new residential development, including extensions, the Council will require a minimum of 1 metre space from the side boundary of the site retained for the full height and length of the flank wall of the building. The first floor side extension, which is set back from the boundary by 1m, is proposed to be constructed over the existing garage which is built up to the common side boundary with number 45 Towncourt Crescent and is therefore contrary to Policy H9. The scheme has not been amended in this regard from that considered by the Inspector.

The Inspector stated that he 'acknowledges the Council's contention that policy H9 of the Unitary Development Plan includes a requirement for at least one metre gap between the side boundary and the flank wall of the existing building'. He goes on to say that 'although the existing garage is already less than a metre from the boundary the extended lower and upper storeys, which for part of the proposal, would comply with the Policy H9 by retaining the metre gap'. He concludes by saying that 'the existing and proposed gaps either side of number 43 would not result in it appearing cramped or harmfully close to the neighbouring properties and as such the side extension would not cause unacceptable harm to the character and appearance of the host dwelling and street scene and there would be no conflict with policy H9 of the UDP'. Consequently, there are special circumstances to prevent a policy led approach to this application and therefore Members may consider that the side extension is acceptable.

Proposed Ground Floor Side/Rear Extension

The plan provided shows that the proposed ground floor rear extension would project approximately 1m past the rear elevation with number 41 Towncourt Crescent. Members may consider that the extension is not considered to unduly affect the amenities afforded to the owner/occupiers of number 41 by virtue of the separation distances between the properties and the mature planting along the boundary.

The proposed ground floor rear extension, by virtue of the staggered building line along Towncourt Road, will project 4m past the rear elevation of number 45 at ground floor level within 1m of the common side boundary. Although it is appreciated that the projection past the elevation is substantial and may impact the neighbouring habitable room window in terms of the provision of natural light, it is considered that the extension is a betterment to the location and size of the single storey outbuilding which is located along the common side boundary and is to be removed, as such the extension in this regard is considered acceptable.

#### Proposed first floor rear extension

The proposed first floor rear extension extends approximately 1.5m further than the rear elevation of number 45 and is considered acceptable in that it may not be considered to unduly impact upon the amenities of the neighbouring property given the separation distances between the two properties and the roof profile that hips away from boundary. With regard to the impact of number 41, the proposed first floor rear extension is approximately 1.5m behind the rear elevation which Members may consider acceptable.

Comments from the neighbour request that the windows within the side elevation of the property be obscurely glazed. Whilst it is not considered that the windows at ground floor level would cause any undue overlooking, if permission was to be forthcoming it is suggested that the windows within the first floor side elevation are conditioned to be obscurely glazed and non-opening below a height of 1.7m.

#### **RECOMMENDATION: PERMISSION**

##### **Subject to the following conditions:**

- 1 The development to which this permission relates must be begun not later than the expiration of 3 years, beginning with the date of this decision notice.**

**REASON: Section 91, Town and Country Planning Act 1990.**

- 2 Unless otherwise agreed in writing by the Local Planning Authority the materials to be used for the external surfaces of the development hereby permitted shall as far as is practicable match those of the existing building.**

**REASON:** In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of the appearance of the building and the visual amenities of the area.

- 3** The development hereby permitted shall not be carried out otherwise than in complete accordance with the plans approved under this planning permission unless previously agreed in writing by the Local Planning Authority.

**REASON:** In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of the visual and residential amenities of the area.

- 4** No windows or doors shall at any time be inserted in the flank elevation(s) of the extensions hereby permitted, without the prior approval in writing of the Local Planning Authority.

**Reason:** In order to comply with Policies of the Unitary Development Plan and in the interest of the amenities of the adjacent properties.

- 5** Before the development hereby permitted is first occupied the proposed window(s) in the flank elevations shall be obscure glazed to a minimum of Pilkington privacy Level 3 and shall be non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed and the window (s) shall subsequently be permanently retained in accordance as such.

**Reason:** In the interests of the amenities of nearby residential properties and to accord with Policies BE1 and H8 of the Unitary Development Plan