

SECTION '2' – Applications meriting special consideration

Application No : 16/02838/FULL6

Ward:
Petts Wood And Knoll

Address : 27 West Way, Petts Wood, Orpington
BR5 1LN

OS Grid Ref: E: 544700 N: 167659

Applicant : Mr Cristian McDermott

Objections : YES

Description of Development:

Single storey side extension.

Key designations:

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

Proposal

The proposal seeks planning permission for a single storey side extension that will be sited to the side of the house behind the previously permitted garage structure, which has not been completed. The extension will have a length of 4.9m, linking to the detached garage at the rear of the property. The extension will have a width of 2.8m and will be sited adjoining the flank boundary of the site. The roof will be flat with a height of 3.0m.

Location

The property is located on the northern side of West Way. The site currently comprises a semi-detached two storey dwelling. The area is characterised by similar semi-detached houses set within relatively spacious plots. The area is characterised by generous side space between buildings and the area falls within the Petts Wood Area Of Special Residential Character.

Comments from Local Residents

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

The Petts Wood & District Residents' Association has raised objection on the following grounds:

- Detrimental impact on the character and appearance of the Petts Wood Area of Special Residential Character (ASRC) - precedent would be set for

further similar side extensions that would impact on the character of the area, against the views of the Inspector.

- Spaces between dwellings would be reduced, altering the character of West Way and would be contrary to UDP policies that seek to preserve the gaps between buildings and prevent the erosion of the spaciousness of the area.

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
H10 Areas of Special Residential Character

Planning History

Planning permission was refused under ref. 11/03348 for a part one/two storey side and rear extension. The refusal grounds were as follows:

'The proposal does not comply with the Council's requirement for a minimum 1 metre side space to be maintained to the flank boundary in respect of two storey development in the absence of which the extension would constitute a cramped form of development, out of character with the street scene and the Area of Special Residential Character, conducive to a retrograde lowering of the spatial standards to which the area is at present developed and contrary to Policies H9 and H10 of the Unitary Development Plan.

The proposed extension, by reason of its excessive bulk and scale, would result in a detrimental impact on the character and appearance of the Petts Wood Area of Special Residential Character, contrary to Policies BE1 and H10 of the Unitary Development Plan.'

The proposal was subsequently dismissed on appeal. The Inspector states:

'No 27 is a 2 storey semi-detached dwelling within Petts Wood Area of Special Residential Character, as defined by the adopted Bromley Unitary Development Plan (UDP). West Way contains other detached and semi-detached dwellings of varying styles. I saw when I visited the site that those on the opposite side of the road to the appeal side are designed in a slightly different manner and are positioned closer together than most of the dwellings on this side of West Way. On this side of the road the semi-detached dwellings, similar to No 27, have double driveway widths between them. This uniform rhythm of development and the space between the dwellings is an important part of the character and appearance of the street scene here.

The proposed garage would be built close to the side boundary and although the first floor side extension would be set off the boundary it would

still be close, at 1.5m. While, it would accord with UDP policy H9 in so far as it seeks to ensure that 2 storey extensions are positioned a minimum of 1m from the side boundary of the site, the large extension would result in an erosion of the rhythm of development here and in particular the space between the dwellings. As such, it would conflict with UDP policy H10 which seeks to protect the established character and appearance of Areas of Special Residential Character, such as this.

I am aware that some other dwellings in the surrounding area have been extended in a similar manner. Nevertheless, I have dealt with this case on its own merits and on the basis of the character and appearance of the dwellings nearby and on the same side of the road, since this is the context that the proposal would be seen within.

Given the orientation of the dwelling and its relationship to other dwellings nearby I am not convinced that the proposal would have a detrimental effect on local living conditions. However, this lack of harm is greatly outweighed by my findings in relation to the main issue.'

Planning permission was refused under ref. 12/02038 for a part one/two storey front/side and rear extension. The refusal grounds were as follows:

'The proposed extension, by reason of its design and siting, would erode the space between the buildings and would result in a detrimental impact on the character, rhythm and spatial standards of the street scene and this part of the Petts Wood Area of Special Residential Character, contrary to Policies BE1, H9 and H10 of the Unitary Development Plan.'

This application was also subsequently dismissed on appeal, with the Inspector raising similar concerns.

Planning permission was refused under ref. 13/02272 for a single storey front/side and rear and first floor rear extension, roof alterations to incorporate rear dormer extension. The refusal grounds were as follows:

'The proposed extension, by reason of its design and siting, would erode the space between the buildings and would result in a detrimental impact on the character, rhythm and spatial standards of the street scene and this part of the Petts Wood Area of Special Residential Character, contrary to Policies BE1, H9 and H10 of the Unitary Development Plan.'

The application was subsequently part allowed and part dismissed on appeal. The Inspector rejected the ground floor side section of the proposal and stated:

'The proposal seeks, in part, to construct a single storey flat roof side extension incorporating a garage, which would project beyond the main front elevation of the house, to a point broadly in line with the protruding bay windows to the front of the property. The single storey height of the proposed side extension would maintain the gap between properties at first floor level. However its prominent forward projection would, when viewed

from the street, emphasise the intrusion into the characteristic gap between dwellings, which would not have been the case had the front of the garage been aligned with the main façade, in the location of the existing wooden gates.

Moreover, the forward projection beyond the main building line to the side of the property would appear as an incongruous feature in its own right, projecting beyond the broadly uniform main facade where, characteristically, protrusions are limited to bay windows. As a result, I consider that the projecting garage would cause unacceptable harm to the character and appearance of the street scene and the ASRC.

Since the garage is an integral part of the design of the ground floor extension, I am unable to sever it from the rest of the proposal so as to enable me to grant a split decision excluding the garage. Consequently, I must conclude that the whole of the proposed single storey side extension is contrary to Policies BE1 and H10 of the Council's Unitary Development Plan, which seek that development in ASRCs respect or complement the established and individual qualities of the individual areas and that development should not detract from the street scene.'

Planning permission was refused under ref. 14/00698 for single storey side extension incorporating a garage to the front of the property. The refusal grounds were as follows:

'The proposed extension, by reason of its design and siting, would erode the space between the buildings and would result in a detrimental impact on the character, rhythm and spatial standards of the street scene and this part of the Petts Wood Area of Special Residential Character, contrary to Policies BE1, H8 and H10 of the Unitary Development Plan.'

This application was also subsequently dismissed on appeal. The Inspector states:

'I consider that the introduction of a solid and higher structure to the side of the building would result in an anomalous and incongruent feature. It would noticeably reduce the gap in this location and in turn unacceptably erode the strong pattern of development and sense of rhythm on this side of the street.

I conclude therefore that the proposal would be discernibly out of keeping with neighbouring development and it would fail to respect a gap that forms an important feature that contributes to the street's appearance and the character of the Petts Wood ASRC. Consequently the proposed development would unacceptably harm the character and appearance of the area, contrary to the design intent of UDP Policies BE1, H8 and H10.'

A Certificate of Lawfulness application was granted under ref. 15/00817 for a single storey side extension.

Conclusions

The main issues relating to the application are the effect that it would have on the character of the Area of Special Residential Character (ASRC) and the impact that it would have on the amenities of the occupants of surrounding residential properties.

There is a lengthy planning history at the site including applications for two storey side extensions that have presented issues of adequate side space and the impact on the character of the ASRC. Following consents for the roof alterations and first floor extension, it was subsequently considered that a full-length single storey side extension at the property would close the gap between the dwellings and introduce an incongruous garage feature to the street scene, impacting harmfully on the spatial standards of the ASRC.

Under ref. 15/00817, a Certificate of Lawfulness application was granted for a single storey side extension to incorporate a garage towards the front of the house. This extension has not been constructed and therefore the original space to the side of the house remains.

It is considered that the certified garage, by occupying the space to the side of the building, would alter the sense of space between the buildings had it been constructed. As it has not, a planning application for the provision of an extension to side of the house would reintroduce the issue of the closing of this gap between the houses and would therefore require specific consideration in light of the Inspector's previous concerns regarding the spatial standards of the ASRC.

The proposed side extension will be sited a significant distance back from the building line and would not be prominently sited or excessive in bulk and height. The proposal would therefore differ significantly from that previously refused. It is considered that the modest nature of the proposal, along with the more sympathetic siting, would not erode the sense of space between Nos. 27 and 29 and would not create a harmful impact on the street scene and special characteristics of the ASRC.

In terms of the impact on the amenities of neighbouring residential properties, the erection of a structure a ground floor level at this part of the site has never been objected to either by the Council or the Inspector. It is considered that the low flat roof would continue to respect the amenities of No. 29, and provides a separation from the flank facing windows of this neighbouring house.

Having had regard to the above it is considered that the development in the manner proposed is acceptable in that it would not result in a detrimental impact on the character and appearance of the Area of Special Residential Character and would not impact harmfully on the amenities of neighbouring residential properties. It is therefore recommended that Members grant planning permission.

Background papers referred to during production of this report comprise all correspondence on the file ref(s) 14/00698, 15/00817 and 16/02838 set out in the Planning History section above, excluding exempt information.

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 The flat roof area of the single storey side extension shall not be used as a balcony or sitting out area and there shall be no access to the roof area.**

Reason: In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of the amenities of the adjacent properties.

You are further informed that :

- 1 The applicant is advised that, in order to benefit from the certified side garage granted a Certificate of Lawfulness under ref. 15/00817, both the development hereby permitted and the certified garage will need to be constructed as separate building operations. The construction of both developments under a single building operation would void both the permission hereby granted and the Certificate of Lawfulness previously granted.**