

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

**Application No :** 17/05839/FULL6

**Ward:**  
Petts Wood And Knoll

**Address :** 240 Crescent Drive Petts Wood  
Orpington BR5 1AX

**OS Grid Ref:** E: 543973 N: 167351

**Applicant :** Mr & Mrs Berkhauer

**Objections :** YES

**Description of Development:**

First floor side extension

Key designations:

Biggin Hill Safeguarding Area  
Biggin Hill Safeguarding Area  
London City Airport Safeguarding  
London City Airport Safeguarding  
Smoke Control SCA 8

**Proposal**

The proposal seeks to extend the host dwelling with a first floor side extension to be built above an existing ground floor element of the property.

The proposed side extension will measure approx. 2.7m in width, approx. 7.9m in depth, the flank elevation will be set away from the property boundary by approx. 1m, and the eaves and ridge will match those of the host dwelling, with a hipped roof design. No windows are proposed in the flank elevation.

The important element of the scheme to note is that the flank wall of the existing ground floor element of the host dwelling that the first floor extension is to be built upon, is set approx. 0.97m away from the property boundary, and the first floor element will therefore be set in from the ground floor flank wall.

**Location and Key Constraints**

The application site is located on the eastern side of Crescent Drive in Petts Wood, and hosts a semi-detached dwellinghouse with integral garage.

**Comments from Local Residents and Groups**

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

## Comments from Consultees

No consultations were required.

## 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.

According to paragraph 216 of the NPPF decision takers can also give weight to relevant policies in emerging plans according to:

- o The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- o The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- o The degree of consistency of the relevant policies in the emerging plan to the policies

The Council is preparing a Local Plan. The submission of the Draft Local Plan was made to Secretary of State on 11th August 2017. These documents are a material consideration. The weight attached to the draft policies increases as the Local Plan process advances.in the NPPF, the greater the weight that may be given).

The development plan for Bromley comprises the Bromley UDP (July 2006), the London Plan (March 2016) and the Emerging Local Plan (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

7.4 Local character

7.6 Architecture

### Unitary Development Plan

H8 Residential extensions

H9 Side space

T3 Parking

T18 Road safety

BE1 Design of new development

### Draft Local Plan

6 Residential Extensions

8 Side Space

30 Parking  
37 General Design of Development

### Supplementary Planning Guidance

SPG1 - General Design Principles  
SPG2 - Residential Design Guidance

### **Planning History**

Permission was granted under reference DC/11/01209 for single storey rear extension and alterations to rear elevation.

More recently, a proposed lawful development certificate was refused under reference 17/05841/PLUD for loft conversion with rear dormer & rooflights to front as the materials to be used for the rear dormer extension would not have matched the materials of the original roof of the dwelling, therefore would not comply with the limitations of Class B.2 (a) of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015.

### **Considerations**

The main issues to be considered in respect of this application are:

- Design
- Side Space
- Neighbouring amenity

### Design

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. The NPPF states that it is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes.

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

Having regard to the form, scale, siting and proposed materials, it is considered that the proposed extensions would complement the host property and would not appear out of character with surrounding development or the area generally.

The proposed side extension will be built above an original element of the host dwelling which at present is single storey. The flank elevation of the existing ground floor element is set approx. 0.97m away from the property boundary, and the first floor element will be set in slightly to allow for an approximate 1m separation to the property boundary.

The front elevation will be built in line with the front elevation of the host dwelling at ground floor, and the roof above this side extension element will match the design of the existing roof of the dwelling, with the eaves and ridge at the same height as the original roof with a hipped design to retain the symmetry of the pair of semi-detached dwellings that the property forms part of.

It is considered that the overall design of the extension in particular the roof is in keeping with the character of the host dwelling, the pair of semi-detached dwellings that the property forms part of, and with properties within the area in general, thereby preserving the overall character of the streetscene.

### Side Space

Policy H9 of the UDP seeks to protect the spatial standards of an area. It states in effect that when considering applications for new residential development, including extensions, the Council will normally require the following:

(i) for a proposal of two or more storeys in height, a minimum 1 metre separation from the side boundary of the site should be retained for the full height and length of the flank wall of the building.

This policy seeks to ensure that the retention of space around residential buildings is essential to ensure adequate separation and to safeguard the privacy and amenity of adjoining residents. It is important to prevent a cramped appearance and unrelated terracing from occurring. It is also necessary to protect the high spatial standards and level of visual amenity which characterise many of the Borough's residential areas.

It is noted that, the presence of the term 'normally' in the body of UDP policy H9 strongly implies a need for discretion in the application of the having regard to several factors, including the characteristics of the site and its surroundings, the precise nature of the proposal and the objectives of the policy as set out in the explanatory text.

Accordingly, it is considered that despite not having a full 1 metre separation at ground floor, the proposed first floor development would sit acceptably in its visual context without harming the character and appearance of the host property, the pair of semi-detached dwelling, or its surroundings. On balance it is therefore considered that no material conflict arises with those provisions of UDP policies BE1, H8 & H9 requiring development, including extensions, not to detract from the street scene or adversely impact on local character.

### Neighbouring amenity

Policy BE1 of the UDP 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.

Having regard to the scale, siting, separation distance, and orientation of the development, it is not considered that a significant loss of amenity with particular regard to light, outlook, prospect and privacy would arise.

## CIL

The Mayor of London's CIL is a material consideration. CIL is not payable on this application and the applicant has completed the relevant form.

## **Conclusion**

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 significant loss of amenity to local residents nor impact detrimentally on the spatial standards of the area, nor will it have a negative impact upon the general character of the area.

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.

## **Recommendation: PERMISSION**

- 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.**