

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

Application No : 18/00644/FULL6

Ward:
Petts Wood And Knoll

Address : 62 Manor Way, Petts Wood, Orpington
BR5 1NW

OS Grid Ref: E: 544550 N: 168218

Applicant : Mr & Mrs Rons

Objections : YES

Description of Development:

Loft conversion incorporating rear dormer, front and rear roof lights and barn hip roof extension.

Key designations:

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

Proposal

The proposal involves a partial gable extension which would extend the existing ridgeline by 1.2m to incorporate a rear dormer which would have a width of 3.4m and would have a crown pitched roof which would have a height of between 2.2m and 3.3m. The dormer would incorporate a Juliet balcony to the rear.

Two front rooflights and one side and one rear rooflights are also proposed.

Location and Key Constraints

The property is located on the south eastern side of Manor Way in Petts Wood. The property is semi-detached and is in an Area of Special Residential Character (ASRC).

Comments from Local Residents and Groups

Nearby owners/occupiers were notified of the application and representations were received, which can be summarised as follows:

Local Groups - Petts Wood & District Residents' Association (PWDRA)

- Property is in the Petts Wood Area of Special Residential Character as such any development has to respect that designation

- Article 4 Direction is now in place which removed permitted development rights from any alteration to the front roof slope, this has been omitted from the planning statement
- Improvement over previous application for a lawful development certificate
- Bedroom 4 is lit by large window to rear and faces south-west
- Therefore, need to have additional light source on the front elevation is questioned

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 makers can also give weight to relevant policies in emerging plans according to:

- The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- 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
- 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 subject to an Examination In Public which commenced on 4th December 2017 and the Inspector's report is awaited. These documents are a material consideration. The weight attached to the draft policies increases as the Local Plan process advances.

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
H10 Areas of Special Residential Character
BE1 Design of new development

Draft Local Plan

6 Residential Extensions
37 General Design of Development
44 Areas of Special Residential Character

Supplementary Planning Guidance

SPG1 - General Design Principles
SPG2 - Residential Design Guidance

Planning History

The relevant planning history relating to the application site is summarised as follows:

Application Number	Description	Decision
16/03140/PLUD	Loft conversion with gable extension, rear dormer and rooflights	REFUSED

The certificate was refused for the following reason:

The proposed development is not permitted by virtue of Classes B 1(b) of Part 1 (Schedule 2) of the Town and Country Planning (General Permitted Development (England)) Order 2015.

17/04955/PLUD - Loft conversion to habitable accommodation with gable extension, rear dormer and front rooflight. - PERMITTED

However, the proposal has not been implemented and an Article 4 Direction is now in place (since the 11th January 2018) which prevents development to front roofslopes. Therefore, this proposal is now no longer considered permitted development.

Considerations

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

- Design and impact on the Area of Special Residential Character
- Neighbouring amenity
- CIL

Design and Impact on the Area of Special Residential Character

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.

Policy H8 states the design and layout of proposals for the alteration or enlargement of residential properties should have a scale and form that respects or compliments the host dwelling and be compatible with development in the surrounding area. It is further stated within the written submission that dormer extensions into prominent roof slopes and extensions above the existing ridgeline, will not normally be permitted.

Policy H10 stated that proposal within an ASRC will be required to respect and complement the established and distinctive character of the individual area. The proposed loft conversion would include a partial hip to gable extension, rear dormer and front, side and rear rooflights. The property forms one half of a pair of semi-detached houses. The adjoining semi at No. 60 does not benefit from a loft conversion and therefore has retained its original hipped roof form. However, the proposed partial gable extension would not appear significantly bulkier than that of the neighbouring property, having a projection of only 0.8m from the existing hipped roof incline and would match the existing pitched roof profile. Therefore, the proposal is not considered to result in any significant harm with regards to unbalancing the appearance of the pair of semi-detached houses. Furthermore, there are other examples of within the wider street and the proposal would not result in any significant harm to the Area of Special Residential Character or the streetscene in general.

The dormer would be located within the rear roofslope and would not be highly visible from the streetscene. Additionally, the proposed dormer would incorporate a crown pitched roof and would not extend for the full width of the roofslope, it would be well set back from the flank wall and from the eaves (by 1.1m) and stepped down from the ridge (by 0.7m). Therefore, the proposed dormer would not dominate the rear roof slope or have a detrimental impact on the visual amenities of the Area of Special Residential Character, particularly given its siting to the rear of the property.

The proposed would involve two front and one side rooflights (a rear rooflight is also proposed however it would have limited visibility from the public realm), these would be a conservation type to minimise the impact on the appearance of the roof form and they would protrude by a maximum of 150mm from the roofslope. It is not considered that the rooflights would have a significantly harmful impact on the character of the dwelling or have any seriously detrimental impact on the character of the ASRC.

The Agent in their planning statement makes reference to a previous lawful development certificate (granted under ref. 17/04955) and states that the current proposal would be a higher quality design. However, the proposal has not been implemented and an Article 4 Direction is now in place (since the 11th January 2018) which prevents development to front roof slopes. Therefore, this proposal is now no longer considered permitted development and would not constitute a fall-back position for granting the development.

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

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.

The proposal is not considered to result in any significant harm to the amenities of neighbouring properties with regards to loss of light or outlook. The flank rooflight included within the partial hip to gable extension would serve the stairwell and would be obscure glazed and the rear dormer windows are not considered to result in any significant increased opportunities for overlooking above that which already exists from the first floor windows.

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

Subject to the imposition conditions regarding the use and retention of obscure glazing to the flank rooflight, it is not considered that an unacceptable loss of privacy to neighbouring dwellings would arise.

CIL

The Mayor of London's CIL is a material consideration. CIL is not payable on this application.

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 character of the ASRC.

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

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** Before the development hereby permitted is first occupied the proposed window(s) in the flank roofslope 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.