

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

**Application No :** 17/05781/FULL1

**Ward:**  
**Petts Wood And Knoll**

**Address :** 19 Dale Wood Road Orpington BR6 0BY

**OS Grid Ref:** E: 545282 N: 166597

**Applicant :** Mr Zlati Christov

**Objections :** YES

**Description of Development:**

Part single storey/part first floor rear extension with internal alterations including conversion of garage.

Key designations:

Biggin Hill Safeguarding Area  
London City Airport Safeguarding  
Open Space Deficiency  
Smoke Control SCA 4

**Proposal**

Planning permission is sought for a part single storey/part first floor rear extension with internal alterations including conversion of garage.

**Location and Key Constraints**

The application site is a detached two storey property located on the eastern side of Dale Wood Road. The site does not lie within a conservation area and is not a Listed Building. The surrounding area is mainly residential in nature. The road inclines from north to south. The site falls within a proposed Area of Special Residential Character in the emerging Local Plan.

**Comments from Local Residents and Groups**

Nearby owners/occupiers were notified of the application and the following comments were received

First floor

- Whilst do not object in principle, the previous side extension was built much less than 1 metre from the flank side boundary of No.17, which was contrary to the council instructions at the time. Continuing this line would compound this with a double storey extension close to neighbours property.
- Double doors to open on to a flat green roof could allow the occupants access to the flat roof that would affect our privacy

### Ground floor extension

- Proposed side door from utility room and intended main garden exit would open onto the existing side window at No.17 giving direct vision into lounge and could be noisy in a restricted space less than one metre distance from the boundary and given the drop in height from No.19 to No.17 is approximately 1 metre this will give the appearance of a much higher build and restrict natural light

### Comments from Consultees

Highways: No objection as spaces will be available within the site's curtilage

### **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:

- 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 in the NPPF, the greater the weight that may be given).

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.

London Plan Policies

Policy 7.4 Local Character

Policy 7.6 Architecture

## Unitary Development Plan

BE1 Design of New Development  
H8 Residential Extensions

## Emerging 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**

Under planning application reference: 89/02093/FUL planning permission was granted for a two storey side and part one/two storey front extension.

## **Considerations**

The primary considerations in the assessment of this proposal are:

- The design and appearance of the scheme and the impact of these alterations on the character and appearance of the area and locality
- Impact on the amenity of neighbouring properties

## Design and Bulk:

London Plan Policy 7.4 requires developments to have regard to the form, function, and structure of an area. Policy BE1 states that all development proposals, including extensions to existing buildings, will be expected to be of a high standard of design and layout. Policy H8 states that the design and layout of proposals for the alteration or enlargement of residential properties will be required to (i) the scale, form and materials of construction should respect or complement those of the host dwelling and be compatible with development in the surrounding area and (ii) space or gaps between buildings should be respected or maintained where these contribute to the character of the area.

The Council will normally expect the design of residential extensions to blend with the style and materials of the main building. Where possible, the extension should incorporate a pitched roof and include a sympathetic roof design and materials.

The proposed single storey extension would wrap around the existing rear projection at the property, adding 1m to the rearmost wall and 2.5m and 3.75m to

each flank respectively. The first floor element would project 1.25m in depth to meet the existing rear projection of bedroom 1. Given the works are proposed to the rear, there would be no impact upon the character and appearance of the streetscene. Whilst flat roofs are generally not encouraged, it is acknowledged that there is an existing flat roof at first floor level at the southern most projection which will remain as existing and therefore the proposed flat roof on the other side of the gable will balance the appearance of the rear elevation. Further, it is also acknowledged that the houses within the immediate context are of varied design, including the neighbouring property No. 17 that has a flat roof at first floor level.

The extension is to be finished in matching materials, resulting in a seamless finish blending the extension with the original building.

The site is located within a proposed Area of Special Residential Character (ASRC) in the emerging Local Plan. However given the siting of the extensions, which are located to the rear of the host property, it is not considered that the character or appearance of the proposed ASRC would be affected by the proposal.

Therefore the proposal is considered to complement the character and appearance of the host dwelling and for these reasons, it is considered that the proposed development is acceptable and complies with policies relating to design.

#### Neighbouring Amenity:

Policy BE1 (v) states that the development should respect the amenity of occupiers of neighbouring building and those of future occupants and ensure their environments are not harmed by noise and disturbance or by inadequate daylight, sunlight or privacy or by overshadowing. This is supported within Policy 7.6 of the London Plan.

The extension would not project any wider than the existing flank walls of the house, thereby maintaining existing setbacks to the boundaries. Whilst the northern flank wall at single storey level will project 3.75m in depth it would be approximately 2.5m beyond the existing rear wall of No.17, would be set in from the boundary by 0.5m and would be a maximum height of 3m. Further, the first floor element would not project any deeper than No.17s existing rear wall. In terms of the impact upon the neighbouring property No.21, the extension would not project as deep as the existing rear wall of No. 21. Overall given the modest depth and setbacks to the boundary it is not considered that that there would be a significant impact upon the neighbouring properties in terms of layout or outlook.

The rear doors serving the master bedroom are inward opening with a balustrade across. A condition will be attached to ensure the flat roof below cannot be used as a balcony.

For these reasons, it is considered that the proposed development is acceptable and complies with policy on neighbouring amenity.

### Other issues raised by objector

Issues relating to boundaries are civil matters and cannot be taken into consideration in the determination of a planning application.

The insertion of a door on the northern flank wall serving the utility room will be setback 0.5m from the boundary. The gap can already be used as an accessway and therefore it is not considered that the addition of this door would result in a significant increase in noise levels to warrant refusal. There is already a kitchen window within this side elevation and the utility door is not considered to increase overlooking towards no 17. However in order to alleviate concerns from No.17 in terms of overlooking, a condition is proposed to ensure the utility room is obscure glazed.

### Mayoral Community Infrastructure Levy (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.

The current application is not liable to this requirement.

### **Conclusion**

Having had regard to the above, it is recommended 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 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**

#### **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 additional to those shown on the permitted drawing(s) shall at any time be inserted in the side elevation(s) of the extension hereby permitted, without the prior approval in writing of the Local Planning Authority.

**REASON:** In order to comply with Policy BE1 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 door at ground floor level on the northern elevation serving a utility room shall be obscure glazed and shall subsequently be permanently retained as such.

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

- 6** The flat roof area of 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.