

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

Application No : 18/01624/FULL6

Ward:
Petts Wood And Knoll

Address : 38 Priory Avenue Petts Wood Orpington
BR5 1JF

OS Grid Ref: E: 544905 N: 167531

Applicant : Mr James Murray

Objections : YES

Description of Development:

Proposed loft conversion with partial hip to gable extension, rear dormer and front rooflights

Key designations:

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

Proposal

The application proposes a partial hip to gable extension, a dormer to the rear and two rooflights to the front to facilitate a loft conversion.

Location and Key Constraints

The application site hosts a two storey semi-detached dwelling on the Eastern side of Priory Avenue, Petts Wood, Orpington and falls within Petts Wood Area of Special Residential Character.

There is an Article 4 Direction on this area which prohibits any roof alterations to the front roofslope under permitted development.

Comments from Local Residents and Groups

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

Objections

- Overlooking at the rear
- Light pollution from large windows at the rear
- Loss of privacy at the rear

Support

- No objections from adjoining property

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

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:

- 16/02570/FULL6; Single storey side/rear extension and elevational alterations; Permitted
- o 17/04909/PLUD; Roof alterations incorporating partial hip to gable, rear dormer and front rooflights to create habitable accommodation. Lawful development certificate (proposed) ; Use/Development is Lawful

Considerations

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

- Design
- Neighbouring amenity
- CIL

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 application site previously had a lawful development certificate for the same loft conversion which was deemed to be lawful, however since then an Article 4 direction has been put in place to prevent any changes to the front roof slopes of properties in this area and as such planning permission is now required for the development.

The hip to gable extension is minimal and the roof would still maintain a significant pitch in the roof, it is considered that this change in the pitch would not cause any significant unbalancing of the pair of semi-detached dwellings nor would it cause any substantially detrimental harm to the character and appearance of the host dwelling, street scene or Area of Special Residential Character.

There are 2 rooflights to the front that facilitate the loft conversion, there are other examples of rooflights within the street, as such it is considered that the addition of rooflights to the front roofslope of number 38 would not cause any significant harm to the character and appearance of the host dwelling, street scene or Area of Special Residential Character.

The dormer would not be visible from the front of the property and would therefore have no harmful impact on the street scene or the Area of Special Residential Character. The dormer would be faced with grey slate. Whilst these are not an exact match to the main roof it is considered that the use of grey slate tiles would not cause any significant harm to the character and appearance of the host dwelling.

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

The main concern in regards to neighbouring amenity as a result of a loft conversion is the rear dormer, whilst dormers in some locations can increase overlooking to an unacceptable level it is considered that the addition of a dormer to the rear of number 38 would not create any loss of privacy over and above what would normally be expected in a residential setting such as this.

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 area or the Area of Special Residential Character.

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: To comply with Section 91, Town and Country Planning Act 1990.

2 The materials to be used for the external surfaces of the building shall be as set out in the planning application forms and / or drawings unless otherwise 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 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 UDP and in the interests of visual and residential amenity.