

SECTION '2' – Applications meriting special consideration

Application No : 18/01552/FULL6

Ward:
Petts Wood And Knoll

Address : 21 Ladywood Avenue Petts Wood
Orpington BR5 1QJ

OS Grid Ref: E: 545393 N: 167667

Applicant : Mr Andrew Cheesman

Objections : No

Description of Development:

Single storey rear and first floor side infill extensions, alterations of garage roof to interlink it to dwelling to partially include habitable space.

Key designations:

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

Proposal

Planning permission is sought for the a single storey rear and first floor side infill extensions, alterations of garage roof to interlink it to dwelling to partially include habitable space.

This is a revised application to a previously approved application (17/01154/FULL6). The proposed amendments relate to the following:

- removal of velux windows leaving 1 in side elevation of garage roofspace
- roof alteration of first floor side infill
- addition of obscure glazed window serving proposed ensuite to 1st floor rear elevation
- Changes to the sizes of the windows on the ground floor side elevation
- reduction in depth of single storey rear extension
- Changes to the fenestration of the opening in the rear elevation

Location and key constraints

Semi detached property located on the eastern side of Ladywood Drive. The site is not located within a conservation area and is not listed. It is however located within Petts Wood Area of Special Residential Character.

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

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 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

7.4 Local character

Unitary Development Plan

BE1 Design of New Development
H8 Residential Extensions
H9 Side space
H10 Areas of Special Residential Character

Emerging Local Plan

Draft Policy 6 Residential Extensions
Draft Policy 8 Side Space
Draft Policy 37 General Design of Development
Draft Policy 44 Areas of Special Residential Character

Relevant planning history

Planning permission was granted in July 2017 under reference 17/01154/FULL6 for a first floor infill extension to the side and associated roof alterations and increase in height of existing garage roof to incorporate a new en suite at first floor, single storey rear extension, two velux windows to the rear roofslope four velux windows to the side roofslope and new window in the side elevation serving the kitchen.

Planning permission was granted in September 2002 for a single storey side and rear and first floor rear extensions under reference 02/02392/FUL

Planning permission was granted for a single storey side/rear extension and alterations to front porch under reference 08/00355/FULL

Considerations

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

Impact upon the character of the existing dwelling and the surrounding area.

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.

Policy H9 states 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 space from the side boundary of the site should be retained for the full height and length of the flank wall of the building; or

(ii) where higher standards of separation already exist within residential areas, proposals will be expected to provide a more generous side space. This will be the case on some corner properties.

The Council considers 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. Proposals for the replacement of existing buildings will be considered on their merits.

The proposal would involve a small first floor extension to the side/rear and an increase in the height of the existing garage roof to create an en suite shower room within the roof. These proposed alterations would relate well to the existing form and design of the original roof profile and the overall scale, mass and design would respect the host dwelling and the character of the wider ASRC.

The proposal would partly attach to the existing garage which is located along the boundary and therefore does not technically comply with Policy H9. Given this element is set back 9.5m from the front wall of the house, would not result in terracing and the existing spatial standards of the surrounding area would be maintained it would comply with the purpose of Policy H9.

Whilst these proposed amendments are considered to be materially different to the approved scheme, they are minor in nature to not warrant refusal. The proposals are not considered to be detrimental to the character and appearance of the ASCR.

The proposed rooflights are also considered to be acceptable in terms of appearance.

The proposed single storey extension would be located to the rear of the property and would therefore have no impact upon the character and appearance of the street scene. The extension would have a flat roof and would respect the scale and form of the host dwelling and surrounding area. The proposal would comply with Policy H8.

Impact upon neighbouring amenity

The single storey rear extension would project 4.95m from the existing rear wall which would fall approximately 1m short of the depth of the existing single storey garage/side extension and would therefore have no impact upon the neighbouring property No.19. The single storey rear extension would have a flat roof with the maximum height of the flank wall being 3m. A roof lantern that would be 0.7m in height would sit above the flat roof.

The property is detached and therefore the southern flank wall would be set in approximately 1.5m from the common boundary. On balance the single storey extension would have no adverse amenity impact upon the neighbouring property no. 23.

The first floor side extension would not affect No. 23. Given the modest increase in height to the existing garage roof, this element of the proposal is not considered to adversely affect the neighbouring property no. 19. The proposed velux windows within the side roofslope would not result in overlooking to No.19.

The proposals comply with Policy BE1.

Conclusions

Having had regard to the above, Members may consider 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 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 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.