

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

Application No : 18/01804/FULL6

Ward:
Petts Wood And Knoll

Address : 9 Princes Avenue, Petts Wood,
Orpington BR5 1QP

OS Grid Ref: E: 545342 N: 167538

Applicant : Mr & Mrs Du Plessis

Objections : YES

Description of Development:

Demolition of detached garage at rear and erection of single storey side and rear extension

Key designations:

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

Proposal

It is proposed to demolish the existing garage, and construct a single storey side and rear extension which would extend up to the side boundary with No.7, and would project 3m beyond the rearmost wall of the property.

The extension would be set back 1.3m from the main front wall of the dwelling, and would have a hipped roof to the side and a flat roof to the rear including a central roof lantern.

Revised plans were submitted on 26th June 2018 which amended the design of the garage door at the front.

Location and Key Constraints

This semi-detached property lies on the south-western side of Princes Avenue, and backs onto No.6 The Chenies. The site is located within Petts Wood Area of Special Residential Character, and backs onto The Chenies, Petts Wood Conservation Area.

It lies adjacent to a detached dwelling at No.7 which has been extended to the side and rear.

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

- The original footprint of the dwelling would be more than doubled which would be overbearing and out of scale
- The extension would cause a terracing effect
- Out of character with the ASRC
- No side space would be provided which is out of keeping with the area
- The design is unbalanced and unsympathetic to the character of the Noel Rees house
- The garage is too narrow to be functional and would detract from the street view
- The extension would be immediately adjacent to a study window at No.7 resulting in loss of light and ventilation
- Increased noise and disturbance to No.7
- The side wall of No.7 would be difficult to maintain.

Local Groups (Petts Wood & District Residents' Association)

- Excessive depth of the extension
- The extension would be immediately adjacent to a study window at No.7 resulting in loss of light and ventilation, and could set a precedent
- Cramped appearance in the street scene

The application was called into committee by a Ward Councillor.

Comments from Consultees

Highways: The proposal includes the removal of the rear garage. The existing side access to the garage would also go but it appears too narrow to easily accommodate a car. The proposed garage is too small for a car, which would leave one parking space on the frontage, as at present, although it may be possible to provide another one if required. No highways objections are raised to the proposals.

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

T3 Parking

BE1 Design of new development

BE13 Development adjacent to a conservation area

Draft Local Plan

6 Residential Extensions

30 Parking

37 General Design of Development

42 Development adjacent to a Conservation Area

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:

Permission was refused in March 2017 (ref.17/00025) for a part one/two storey side/rear extension on the following grounds:

"The proposed two storey side extension, by reason of its size and close proximity to the south-eastern flank boundary with No.7 Princes Avenue, would have a seriously detrimental impact on the character and spatial standards of this part of Petts Wood Area of Special Residential Character, thereby contrary to Policies H8, H10 and BE1 of the Unitary Development Plan."

Considerations

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

- Resubmission
- Design
- Heritage Impact
- Highways
- Neighbouring amenity
- CIL

Resubmission

The revised proposals have removed the first floor element and are now for a single storey side and rear extension only. The side extension would now abut the boundary with No.7 rather than being set back 1m, but it would be single storey rather than two storey as previously proposed.

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.

The proposed single storey side extension would close the gap between Nos.7 and 9 Princes Avenue, but it would be at ground floor level only, leaving a good separation at first floor level between the two dwellings. Similar single storey side extensions to the boundary have been permitted elsewhere in the Area of Special Residential Character, including at the neighbouring property at No.7.

The roof of the extension would be hipped to the side, and would have a parapet wall adjacent to the boundary with No.7. Although the extension would differ in design from the adjacent side extension at No.7, it would be narrower in width and would not appear overly obtrusive within the street scene.

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

Heritage Assets

The NPPF sets out in section 12 the tests for considering the impact of a development proposal upon designated and non-designated heritage assets. The test is whether the proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset and whether it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits. A range of criteria apply.

Within or adjacent to a Conservation Area:

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a requirement on a local planning authority in relation to development in a Conservation Area, to pay special attention to the desirability of preserving or enhancing the character or appearance of that area.

Interpretation of the 1990 Act in law has concluded that preserving the character of the Conservation Area can not only be accomplished through positive contribution but also through development that leaves the character or appearance of the area unharmed.

The proposed extension would be located approximately 25m from the adjacent Conservation Area which borders the rear boundary of the property, and due to its modest size, the extension would not adversely affect the character and appearance of the Conservation Area.

Highways

The NPPF recognises that transport policies have an important role to play in facilitating sustainable development but also in contributing to wider sustainability and health objectives. The NPPF clearly states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

London Plan and UDP Policies encourage sustainable transport modes whilst recognising the need for appropriate parking provision. Car parking standards within the London Plan, UDP and emerging draft Local Plan should be used as a basis for assessment.

No highways objections are seen to the loss of the garage as sufficient parking space can be provided on the frontage.

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 property already has a two storey rear extension across part of the rear elevation, and the proposed single storey extension would project 3m beyond this. The adjoining dwelling at No.11 has also built a similar depth two storey rear extension, and therefore the proposed extension would project 3m beyond it which is not considered to result in any undue loss of light or outlook to this property.

With regard to the impact on No.7 to the south-east, the proposed single storey extension would lie adjacent to the flank wall of the garage/study at No.7 and would block an existing side window to the study. However, this is an obscure glazed window, and the study is also served by a large rooflight. Therefore, the harm caused is not considered to be so significant to justify a refusal.

The part one/two storey side/ rear extension to No.7 currently projects a significant distance beyond the rear of No.9, and the proposed extension is not therefore considered to have a detrimental impact on light to or outlook from the adjacent property.

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.

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 of Special Residential Character, nor on the adjacent Conservation 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.

as amended by documents received on 26.06.2018

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.