

SECTION '2' – Applications meriting special consideration

Application No : 18/03263/FULL6

Ward:
Petts Wood And Knoll

Address : 106 Kingsway Petts Wood Orpington
BR5 1PU

OS Grid Ref: E: 544740 N: 167909

Applicant : Mr Andy Reynolds

Description of Development:

Enlargement of existing roof, 2 front dormer extensions and rooflights on side elevations.

Key designations:

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

Proposal

Planning permission is sought to convert the existing roofspace by way of extending across from the main roof ridge (3.4m to the east and 2.5m to the west) and 2 front dormers dormer extensions. The property at present benefits from single storey side extensions and as such the proposal result in hipped roofs above these two sections. The proposed enlarged roof and front dormers will be tile hung.

Location and Key Constraints

The application property is a semi-detached house located within the Petts Wood Area of Special Residential Character.

There are restrictions upon 'permitted development' rights at the property due to the adopted Article 4 Direction that covers the Petts Wood Area of Special Residential Character. The Article 4 Direction specifically relates to alterations and additions to the front elevation and states in effect that any alteration or addition to any front roofslope (that facing the public highway) that is currently permitted by Class B or Class C of Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) would require planning permission.

Comments from Local Residents and Groups

Nearby owners/occupiers were notified of the application and representations were received as follows:

- Comments from Petts Wood and District Residents Association (PWDRA)
- extensions to the roof either side of this property, over the current flat-roofed garage to the west and the existing side extension to the east
- does not comply with H9 side space policy
- garage and side extension are constructed up to the boundary
- property roof will be extended over flat roofs
- property is located in ASRC
- flank windows will overlook into No. 17 Crossway
- no details on how rain water would be collection from new roof
- how far would new eaves extend over adjacent property?
- would invade space and property

Comments from Consultees

None

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 48 of the NPPF (2018) 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 made to Secretary of State on 11th August 2017. These documents are a material consideration. The weight attached to the draft policies increases as the Local Plan process advances.in the NPPF, the greater the weight that may be given).

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
H9 Side Space
H10 Areas of Special Residential Character
BE1 Design of new development

Draft Local Plan

6 Residential Extensions
8 Side Space
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:

- 04/01439/FULL6 Replacement of existing garage with single storey side extension- PER 09.06.2004

Considerations

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

- o Design
- o Neighbouring amenity
- o 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.

Paragraph 124 of the NPPF (2018) states that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

London Plan and UDP policies further reinforce the principles of the NPPF setting out a clear rationale for high quality design.

In terms of design, the proposed roof extensions would extend along the main roof ridge and would maintain a hipped roof on both sides. The proposed front dormers would have pitched roofs and would be tile hung and given the existing design of the building it is considered that these extensions would be in-keeping with the host dwelling and this part of the streetscene. It is considered that the proposal would not impact detrimentally upon the visual amenities and character of the Petts Wood ASRC.

In terms of Policy H9, the proposal seeks to extend above the existing flat roofed single storey elements at the site which are currently up to the flank boundaries. Although this may contravene the technical requirements normally sought under Policy H9, it is noted that the proposed roof enlargements would maintain a hipped roof design which would retain the sense of space around the building. It is considered that the shortfall in side space at ground floor level would not result in a development detrimental to the spatial standards or visual amenities of the Area of Special Residential Character.

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, including the Area of Special Residential Character.

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 proposed dormer extension would result in additional front windows at first floor level. However, there are already at present views from the application property from existing first floor windows. Whilst it is recognised that some degree

of overlooking may occur, any increase loss to that that already exists is not considered significant enough to refuse on this basis alone. Concerns have been raised from residents in Crossway regarding the flank rooflights, but given that these are to serve a dressing area it is suggested that a condition be added to any permission to ensure these windows are obscure glazed.

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.

CIL

The Mayor of London's CIL is a material consideration. CIL is unlikely to be payable on this application but the applicant has not completed the relevant form.

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 Petts Wood 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: 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 eastern flank rooflope elevation 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.

Reason: In the interests of the amenities of nearby residential properties and to accord with Policies BE1 and H8 of the Unitary Development Plan