

SECTION '2' – Applications meriting special consideration

Application No : 18/03906/FULL6

Ward:
Petts Wood And Knoll

Address : 148 Petts Wood Road, Petts Wood,
Orpington BR5 1LF

Objections YES

OS Grid Ref: E: 544630 N: 167775

Applicant : Mr Ajay Agrawal

Description of Development:

Single storey rear extension and garage conversion to habitable space

Key designations:

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

Proposal

The proposal seeks permission for the formation of a single storey rear extension and garage conversion to habitable space.

The host dwelling already benefits from a single storey side/rear extension that was granted planning permission under reference 87/01334/FUL. The current proposal seeks to effectively remove and replace this structure with a larger extension that will have a width of approx. 2.8m along the front elevation, a depth of approx. 11.9m along the flank elevation of the host dwelling, and the rear elevation will measure approx. 9.6m in width. This entire extension will form a 'wraparound' extension around the original rear and flank elevations of the property, with a rearward projection from the original rear elevation of the host dwelling of approx. 3.6m.

The front elevation of the side extension will be built in-line with the front elevation of the host property with a maximum height to the ridge of the false pitched roof of approx. 3.56m. The rear extension element will project in depth beyond the rear elevation of the property by approx. 3.6m, with a maximum height to the top of the flat roof of approx. 3m (excluding the roof lantern which will have a maximum height of approx. 3.6m) with the flank wall of the extension being built along the property boundary shared with the adjoining dwelling, No.146.

The proposed replacement side extension element will involve the removal of the existing attached garage, and the new extension will form fully habitable accommodation, removing the garage element. The flank elevation of the side

extension will be built up to the property boundary shared with No.150, measuring approx. 3.6m to the top of the ridge of the small pitched roof towards the front of the structure, with the flat roof beyond it measuring approx. 2.7m.

It is also proposed to introduce elevation alterations to the front elevation of the property at ground floor level, providing a new front entrance door to the host dwelling. At present, there is an internal porch area with the front door being set-in from the main front elevation. The current proposal seeks to bring the entire front elevation in-line and remove the separate porch element.

All materials to be used for the proposed extension will match the host dwelling.

The car parking arrangements on site will involve the loss of the garage parking space due to the conversion of the garage to habitable accommodation, however the parking layout within the frontage of the site will not alter, with there being space for at least two off-street spaces.

Location and Key Constraints

The application site is located on the northern side of Petts Wood Road within the Petts Wood Area of Special Residential Character and hosts a semi-detached dwelling.

Comments from Local Residents and Groups

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

- do not consider the current application has done enough to overcome previous refusal grounds;
- the refused proposal measured 3.2m high x 4.5m long; the new application proposes this wall to be 3.005m high x 3.6m long. At its closest, it is only 1m from the principal rear facing living room of No. 146. It projects high above the close boarded fence which presently separates the properties and provides a degree of privacy to the occupants of both properties;
- A more modest extension to No. 148 exists on the other side of the plot adjacent to No. 150. This kitchen extension projects out from the back wall of No. 148 by approximately 2.9m. This appears to be a satisfactory and established rear building line;
- If proposed side wall was stepped away from boundary by 1m, would still result in large open plan internal space but enable the wall to be maintained in the future without encroachment on neighbouring property, and will also lessen the impact upon the amenities of No.146.

Comments from Consultees

The Council's Highways Engineers raised no technical objections. There will remain parking on the frontage for at least 2 vehicles.

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.

The National Planning Policy Framework was published on 24th July 2018.

According to paragraph 48 of the NPPF decision makers can also give weight to relevant policies in emerging plans according to:

- a) The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- b) 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
- c) The degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF

The Council is preparing a Local Plan. The submission of the Draft Local Plan was subject to Hearings from 4th December 2017 and the Inspectors 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

T18 Road safety

BE1 Design of new development

Draft Local Plan

6 Residential Extensions

30 Parking

37 General Design of Development

44 Areas of Special Residential Character

Supplementary Planning Guidance

SPG1 - General Design Principles

SPG2 - Residential Design Guidance

Planning History

There is historical planning history relating to the application site which can be summarised as follows:

87/01334/FUL - single storey side/rear extension granted.

More recently, permission was refused under 18/00412 for garage conversion, single storey rear and side extensions and loft conversion for the following reasons:

1. The proposed single storey side/rear extension would, by reason of its excessive rearward projection within close proximity to the eastern property boundary, have a seriously detrimental effect on the residential and visual amenities, and daylighting afforded to, No.146, along with the prospect which the occupants of that dwelling might reasonably expect to be able to continue to enjoy, contrary to Policies BE1 and H8 of the Unitary Development Plan and Policy 37 of the emerging Local Plan;
2. The design and bulk of the proposed roof alterations, involving as it does substantial alterations to the existing roof line of the property, would be detrimental to the symmetrical appearance of this pair of semi-detached houses, would detract from the character of the host building, and would harm the character and appearance of this part of the Petts Wood Area of Special Residential Character, contrary to Policies BE1 and H10 of the Unitary Development Plan and Policies 37 and 44 of the emerging Local Plan; and
3. The proposed roof development would give rise to an unacceptable degree of overlooking and loss of privacy and amenity to the occupiers of neighbouring dwellings, contrary to Policies BE1 and H8 of the Unitary Development Plan and Policies 6 and 37 of the emerging Local Plan.

Considerations

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

- Principle
- Design

- Neighbouring amenity
- Highways

Principle

The site lies within an urban and built up residential area where there is no objection in principle to new residential extensions subject to an assessment of the impact of the proposal on the appearance/character of the building, the surrounding area, the residential amenity of adjoining and future residential occupiers of the scheme, car parking and traffic implication.

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 single storey side extension would not harm the character of the host property any further than the existing development currently on site along the side of the host property. This element will be visible from the roadside, however the overall difference between what is currently in position along the side of the host dwelling and what is being proposed does not hugely differ in terms of design, and is subsequently not considered to have a detrimental impact upon the streetscene or the character of the ASRC that the property is located within.

The alterations to the front elevation of the host dwelling, removing the internal porch area and bringing the front door to the host dwelling forward so that it is in-line with the main front elevation of the host property would not detract from the character of the property and would enhance the overall appearance of the host dwelling. Introducing the front pitched roof canopy above would preserve the overall character of the property and would not detract from the ASRC.

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 considered that the impact of the single storey rear extension will not have a detrimental impact upon the residential and visual amenities of the occupiers of No.146. Concerns were raised with regard to the previously refused application (18/00412) by reason of excessive rearward projection within close proximity to the property boundary. The

current scheme has been altered by reducing the rearward projection by approx. 0.9m and the height of the structure has also been reduced so that the overall height along the shared property boundary will now measure approx. 3m from ground level to the top of the flat roof. Whilst concerns have been raised by the occupier of No.146 that this height and depth will still result in an overbearing impact upon their amenity, it is considered that the current proposal has overcome the previous concerns and fully addressed the previous refusal ground relating to the single storey development at the site.

With regard to the impact upon No.150, whilst the proposed replacement single storey side/rear extension will result in development along the shared property boundary that will have a height of approx. 2.7m towards the front of the extension to approx. 3m towards the rear of the extension, notwithstanding the top of the ridge of the pitched roof element to the front, there is an existing extension at No.150 and it is considered that as a result of the existing extension at No.150 and the relationship it will have with the proposed side/rear extension, the amenities of the occupiers of No.150 should not be unduly affected. There is one window in the flank elevation of the extension at No.150 which serves a downstairs toilet (according to the floor plans approved under reference DC/05/01146), and the proposed extension will therefore not impact upon any habitable rooms within No.150. In addition, only 2 high level windows are proposed in the flank elevation of the side extension element at No.148, which will both have obscured glazing, therefore no direct overlooking or loss of privacy will occur. Whilst there will not be a huge degree of separation between the flank elevations, the rearward projection of the extension at No.148 does not appear to be any greater than the existing extension at No.150, thereby minimising the visual impact that the current proposal will have upon the windows in the rear elevation of No.150.

The development as a whole will not have an undue adverse impact upon the properties to the rear of the application site due to the degree of separation between the position of the extensions and the rear elevations of the properties to the rear.

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 UDP should be used as a basis for assessment.

The current parking layout to the front of the property will not alter as part of the scheme. There will be the loss of one internal parking space from the replacement single storey side extension element of the scheme, which will include the removal of the internal garage, however there will remain off-street parking spaces available within the curtilage of the site. Therefore there is no impact upon highways conditions.

CIL

The Mayor of London's CIL is a material consideration, however 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. The proposed extension would not result in a significant loss of amenity to local residents nor impact detrimentally on the spatial standards of the site or wider area, nor upon the general character of the area of special residential character that the property is located within.

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 flank 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 No windows or doors shall at any time be inserted in the flank 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.