

SECTION '2' – Applications meriting special consideration

Application No : 18/05592/FULL6

Ward:
Petts Wood And Knoll

Address : 10 Derwent Drive Petts Wood BR5 1EW **Objections:** Yes

OS Grid Ref: E: 544739 N: 166681

Applicant : Mr Basant Mercia

Description of Development:

Single storey side extensions incorporating garage conversion, enlargement of existing porch entrance, and enlargement of roofspace incorporating extension to rear roof to provide first floor accommodation with rooflights to front and side and Juliet balcony to rear.

Key designations:

Biggin Hill Safeguarding Area
London City Airport Safeguarding
Smoke Control SCA 8

Proposal

The proposal includes a single storey side/rear extension that will be 1.3m wide and 6.7m deep, located behind the existing garage. The proposal also includes the conversion of the existing garage to a habitable room, involving the removal of the garage doors and replacement with brickwork and a window.

The proposed loft conversion includes extending the hipped roof 2.7m to the side, over part of the converted garage, and incorporates a rear roof extension. Front and side roof lights are also proposed.

A replacement front porch is proposed, which will project 1.9m forward and will be 2.8m wide.

Revised plans were received 27th February 2019, which removed the second crossover and enlarged the existing hardstanding.

Additional revised plans were received 09/04/19 to address inconsistencies and a Sun study was received 23/04/19.

This application has been 'called-in' by ward Councillors.

Location and Key Constraints

The application site is a semi-detached bungalow located on the northern side of Derwent Drive.

A public footpath borders the site along the eastern flank and rear boundaries. Crofton Infant School is located to the rear of the site.

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:

- Increases parking in a road which is already extremely busy due to close proximity of Crofton School
- Loss of privacy
- Loss of light and fails the BRE 45 degree test
- The road comprises small semi-detached bungalows and this extension will look out of character
- Inaccuracies in the application submission such as to give a misleading impression and prevent proper consideration of the proposal:
 - Levels are incorrectly shown to be flat, whereas in reality the land falls from the front to the rear of the property and also slopes slightly across the front of the property. The land generally falls from south to north
 - The orientation of the elevations are all incorrect
 - 'Elevation D-D' is not shown on the ground floor plan. It is not clear what this is supposed to represent, however if it is intended to be from the side of no 12, it is completely false and misleading
 - The existing and proposed elevations do not show no.12 correctly, failing to show the rear conservatory front and rear windows and garage correctly
 - The rear roof extension shows no gulley for rain water to fall away behind the parapet next to no 12 and could not be constructed as shown
 - it is not clear whether the parking would be on a raised forecourt or not
- Over intensification of the bungalow
- Unnecessary loss of small sized single dwelling for which there is a significant housing need
- Unacceptable loss of daylight, sunlight, privacy and unduly dominant impact on neighbouring properties
- Unsympathetic and dominant roof addition that would seriously harm the appearance and character of the host building, visual amenities and character of the area
- Hazardous and unacceptable crossover and parking arrangements - impact on neighbouring amenity, safety, traffic congestion and exacerbate street parking
- The need is to protect particularly vulnerable road users - school children - in close proximity to the school entrance.

- Already a high demand in this area for streetside space close to the school during school hours.
- The driveway adjacent to the main bedroom of no 12 will cause noise and light disturbance and fumes to no 12
- The suggested size of the porch will restrict parking to the front
- An extension of the roof sideways towards my property and upwards to a first floor at the rear would completely block all daylight, sunlight and skyline
- Property has already extended four times, to construct a garage; to add a porch; to add a single storey rear extension to increase the size of the living/dining area; and then another to add a conservatory.
- Plentiful supply of large family sized accommodation elsewhere in Petts Wood and even within the vicinity
- No mention is made as to whether the materials of bricks and roof tiles would match the existing house
- It should be clarified that no change of use is proposed. The proposed layout of the property suggests that it would be vulnerable to be used for multiple occupation, as a boarding/guest house/hotel (Use Class C1, C4 or sui generis use) or let for short term temporary accommodation (e.g. Air BNB type holiday lets).
- The bungalow is set back 8-9, rather than 12 m from the public highway
- incorrectly shows a porch at the front of no.12
- The application refers to the previous adopted development plan, the Unitary Development Plan (UDP), whereas it is understood the Council adopted the Bromley Local Plan (BLP) and related documents on 16 January 2019
- If permission is granted, should include a condition or informative clarifying that no change of use to Class C1, C4, sui generis use or short term lets would be considered appropriate to this property and that it would be likely to instigate enforcement action should any such use commence without planning permission
- Unnecessary loss of smaller single dwellinghouse for which there is a significant housing need
- The South East London Strategic Housing Market Assessment (SEL SHMA) notes a 'very clear requirement for smaller homes' across South East London, including in Bromley.
- It is imperative to protect the existing supply of such smaller sized accommodation. This is reflected in the BLP with Housing Objective 1 being to provide an appropriate supply of homes that 'responds to the changing demographic, in particular as the population ages'.
- In contrast, Bromley has a plentiful supply of larger family-sized properties
- A major loss of amenity will be caused to no 12 by extending at roof level to a gable end to the full ridge height of 5m by nearly 3m beyond the rear wall of the main house, where no 12 has the sole window to the main living room.
- Inconsiderate and unneighbourly

- This will destroy the current relationship of open, light and airy passage of light afforded by the current pitched sloping roofscapes that characterise the rear of these bungalows at no's 12, 10 and 8.
- The insertion of a full height window with Juliette balcony would also cause unacceptable overlooking and loss of privacy to no 12 in using its gardens
- The roof proposed pitch would not match the existing characteristic shallow hipped roof
- It is estimated that the volume of the roof would increase by around three times.
- Size of porch should be reduced

Local Groups (Petts Wood & District Residents' Association (PWDRA))

- The proposal will increase the number of bedrooms at this property from 2-3 to 5. The number of bathrooms will increase from 1 to 4. The living spaces left are totally inadequate for the number of bedrooms.
- The garage will be lost with an increase in potential parking either in the current front garden or on-street. This road and the surrounding area is situated in close proximity to Crofton School and already suffers from considerable congestion at the start/end of the school day. Any potential addition to this issue is unwelcome.
- Overlooking from the large window proposed at first floor level, and loss of privacy for the adjoining residential properties
- The proposal represents an over-development of this small bungalow and does not respect the scale and form of the host dwelling
- Contrary to Policy H8 and BE1

A petition was received on 21st March 2019 with 29 signatures, in objection to the proposal on the grounds of:

- Unacceptable impact on the existing bungalow, the area and neighbouring properties due to its design, size and impact on the light and privacy to neighbouring properties.
- Overdevelopment of a small bungalow.
- Unnecessary crossover; increased parking and traffic congestion causing hazardous conditions, especially for young children, creating disturbance to neighbours; and harming the area's appearance and character.

A letter has been received from local MP, Jo Johnson, which supports local residents who believe that this development would be out of keeping with the local area and would cause loss of amenity to neighbouring houses, particularly the adjoining bungalow.

Revised plans were received 09/04/19 and a Sun study was received 23/04/19. Nearby owners/occupiers were re-notified and representations were received, which can be summarised as follows:

Objections:

- Apart from deletion of a second crossover I cannot see any alterations at all and all external measurements appear to be the same.
- A 7 metre rear roof extension from the apex will impact on outlook and skyline
- The proposed extension is unnecessary, unreasonable and out of character with the surrounding
- Previous objections still stand
- The elevations as amended do not show the proposals in context, the applicant has now abandoned the idea of showing the relationship to the adjoining property
- The parapet wall is now proposed to raise by 0.3m in order to accommodate a box gutter which itself will cause an unacceptable loss of daylight and sunlight to the living room and conservatory of no 12.
- The resulting levels of daylight to the living room they would not even meet a BRE recommended daylight test for minimum light levels such as to make the room permanently gloomy and would cause a major loss of morning sunlight to the conservatory rendering it unfit for purpose
- Should the Council decide to grant planning permission, it is imperative that it places a specific condition specifying the maximum height of the parapet wall to the height shown. Any further increases in the height of the parapet wall will have further significant light impacts upon the living room and conservatory to no 12.
- Sun study has no explanatory report setting out the methodology used, the results nor their apparent significance, as would normally be expected for a professional BRE daylight and sunlight report.
- The applicant has not provided any analysis of daylight or nor skyline upon no 12, contrary to Bromley's validation requirements
- Proposal fails the BRE 45 degree test
- Shadows thrown by the proposed roof extension are inconsistent with those thrown by other obstructions, and are misleading
- Loss of morning sunlight to no12 and afternoon sunlight to no 8
- Proposal is contrary to adopted Local Plan Policies and SPG
- There is no sun study in relation to no.8
- The proposed extension is not sympathetic to, or compatible with, the character of the other bungalows in the immediate vicinity.
- It means the loss of a small 2 bed dwelling for which currently there is a great demand, and that demand will increase with the ageing population of Bromley.
- Still fearful that this 5 bedroom house will become a property of multiple occupation

Comments from Consultees

Highways:

- A second crossover is proposed. However the position is contrary to the Crossovers policy due to inadequate distance from the first crossover and so would not be constructed. This would leave only 1 parking space on the frontage.

- The site is in a low (1b) PTAL location. The proposal would result in a 5 bed house so at least 2 car parking spaces, preferably 3, should be provided. These can be provided by using the existing crossover and widening the existing hardstanding. If the application is going to be progressed I would ask that applicant supplies revised plans.
- Revised plans were received 27/02/2019.
- The proposed layout allows parking for 2 vehicles so I would not raise any objection.
- The site is next to a school access so we would want to control vehicle movements and so I would suggest a construction management plan condition.
- Please include the following conditions if permission is given: OC03 parking, PC17 construction management plan, PC18 highway drainage.

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 24 July 2018 and updated on 19 February 2019.

The development plan for Bromley comprises the Bromley Local Plan (Jan 2019) and the London Plan (March 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

Bromley Local Plan

6 Residential Extensions

30 Parking

32 Road Safety

37 General Design of Development

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:

- 86/02504/FUL - Single storey side and rear extensions Semi-detached bungalow - Permitted 23.10.1986
- 02/00148/FULL1 - Single storey rear extension for conservatory - Permitted 06.03.2002
- 02/01698/FULL1 - Side and rear boundary fence RETROSPECTIVE APPLICATION - Permitted 03.07.2002

Considerations

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

- Design
- Highways
- Neighbouring amenity

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 Bromley Local Plan (BLP) policies further reinforce the principles of the NPPF setting out a clear rationale for high quality design.

Policies 6 and 37 of the Bromley Local Plan (BLP) and the Council's Supplementary design guidance seek to ensure that new development, including residential extensions are of a high quality design that respect the scale and form of the host dwelling and are compatible with surrounding development.

The proposed conversion of the existing garage to a habitable room includes the removal of the garage doors and replacement with brickwork and a window. It is noted that the of the surrounding bungalows, no property has yet converted the garage to a habitable room, however it is considered that this

element will not impact significantly on the character or appearance of the property or the street scene in general.

The proposed single storey side extension will be 2.6m wide and 6.7m deep. It will be located behind the existing garage therefore will not be visible from the street. It will be set in 1.3m from the eastern flank elevation and a public footpath runs along the eastern flank boundary which is approximately 3.3m wide. The flank elevation includes an open aperture to provide light to the flank windows. The size and design is considered to be in-keeping with the host property, with the materials indicated to match the existing property.

The proposed loft conversion includes extending the hipped roof 2.7m to the side, over part of the converted garage and side extension, and incorporates a rear roof extension. Front and side roof lights are also proposed. The property forms one half of a pair of semi-detached bungalows; both of which currently benefit from symmetrical hipped roofs. Whilst the proposal will increase the width of the ridge, the hipped roof design is considered to be in keeping with the host property. At the rear, the proposal will project from the rear roof slope and will extend over the existing single storey rear extension, creating a total rearward ridge length of 7.1m. The proposed rear elevation will contain a Juliet balcony. It will be set down 0.1m from the main ridge. A public footpath runs along the eastern flank boundary, therefore the development will be visible from the public realm, however the size and design is considered sympathetic to the host property and will not impact significantly on the character and appearance of the surrounding area.

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

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 transport issues should be considered from the earliest stage of both plan making and when formulating development proposals and development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

The NPPF states that all developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed

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

The proposal results in the loss of one parking space by way of the conversion of the garage to form a habitable room. Revised plans were received 27th February 2019, which enlarges the existing hardstanding to provide two parking spaces within the front curtilage of the site. As such, no objection was raised from a highways perspective.

Neighbouring amenity

Policy 37 of the BLP 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 single storey side extension will be 2.6m wide and 6.7m deep. It will be located behind the existing garage and will not project beyond the existing rear extension. The proposed loft conversion includes extending the hipped roof 2.7m to the side, over part of the converted garage and side extension, and incorporates a rear roof extension which extends over the existing single storey rear extension, creating a total rearward ridge length of 7.1m.

It is noted that the adjoining property, No.12, has been subject to a single storey rear extension that is approximately 2.8m deep and steps out to 4.3m deep. The application site also benefits from a 2.8m deep single storey rear extension, with additional 2.9m deep conservatory extension. The proposed rear roof extension will not exceed the depth of this neighbouring extension and is pitched away from the boundary. Concerns have been raised regarding the impact on neighbouring amenity, with particular regard to light, privacy and visual amenity. The agent has submitted a basic 'sun study' in support of the application which indicates minimal impact on sunlight and daylight, however no written explanation or methodology has been provided. Nonetheless, the roof pitches away from the shared boundary at an angle of 42 degrees when measured from the submitted plans. Furthermore, the orientation of the site is such that the rear gardens are north facing, with the adjoining property, No.12 located directly to the west. As such, it is not considered to impact significantly on the level of light or outlook from the existing rear windows of this adjoining property. The proposal will include a Juliet balcony in the rear elevation. This will result in some additional overlooking due to its elevation position, however, given the modest size and location at first floor only, this is not considered significant enough to warrant refusal of the application.

With regards to the neighbouring property to the east, No.8, the proposal includes extending the hipped roof 2.7m to the side, over part of the converted garage and includes two side roof lights. It will be set in 1.3m from the eastern flank boundary. Furthermore, a public footpath runs along the eastern flank boundary which is approximately 3.3m wide. Given the separation between properties, the proposal is not considered to impact on the amenities of this neighbouring property with regards to loss of light, outlook or privacy.

Having regard to the scale, siting and separation distance 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

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 09.04.2019 23.04.2019 27.02.2019
12.03.2019**

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 of the Town and Country Planning Act 1990

- 2 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 37 of the Bromley Local Plan and in the interests of visual and residential amenity.

- 3 No development shall commence on site (including demolition) until such time as a Construction and Environmental Management Plan has been submitted to and approved in writing by the local planning authority. As a minimum the plan shall cover:**
 - (a) Dust mitigation and management measures.**

(b) The location and operation of plant and wheel washing facilities

(c) Measure to reduce demolition and construction noise

(d) Details of construction traffic movements including cumulative impacts which shall demonstrate the following:-

(i) Rationalise travel and traffic routes to and from the site as well as within the site.

(ii) Provide full details of the number and time of construction vehicle trips to the site with the intention and aim of reducing the impact of construction related activity.

(iii) Measures to deal with safe pedestrian movement.

(iv) Full contact details of the site and project manager responsible for day-to-day management of the works

(v) Parking for operatives during construction period

(vi) A swept path drawings for any tight manoeuvres on vehicle routes to and from the site including proposed access and egress arrangements at the site boundary.

(e) Hours of operation

(f) Other site specific Highways and Environmental Protection issues as requested on a case by case basis

(g) The development shall be undertaken in full accordance with the details approved under Parts a-f

Reason: Required prior to commencement of development to ensure sufficient measures can be secured throughout the whole build programme in the interests of pedestrian and vehicular safety and the amenities of the area. In order to comply with Policies 30, 31, 32 and 119 of the Bromley Local Plan of the Unitary Development Plan and in the interest of the amenities of the adjacent properties.

- 4 No impact piling shall take place until a piling impact method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the Local Planning Authority in consultation with Thames Water. Any piling must be undertaken in accordance with the team of the approved piling statement.**

Reason: In the interests of the protection of the sewerage system and to comply with Policy 5.14 of the London Plan

- 5 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order amending, revoking and re-enacting this Order) no buildings, structures, extensions, alterations, walls or fences of any kind shall be erected or made within the curtilage(s) of the dwelling(s) hereby permitted without the prior approval in writing of the Local Planning Authority.**

Reason: In the interests of protecting the character of the area and residential amenity of neighbouring properties in accordance with Policies 6, 9 and 37 of the Council's Local Plan (2019).

6 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order amending, revoking and re-enacting this Order) no change of use of any kind permitted by Class L (Houses of Multiple Occupation) of Part 3 of Schedule 2 of the 2015 Order (as amended), shall be undertaken within the curtilage of the dwelling without the prior approval in writing of the Local Planning Authority.

Reason: To enable the Council to consider future development at the site in the interest of local amenity, in accordance with Policies 6, 9 and 37 of the Council's Local Plan (2019).