

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

Application No : 19/02854/FULL6

Ward:
Petts Wood And Knoll

Address : 9 Knoll Rise Orpington BR6 0EJ

Objections: Yes

OS Grid Ref: E: 545937 N: 166131

Applicant : Mr Kunal Datta

Description of Development:

Ground floor side infill and first floor rear extension and elevational alterations (RETROSPECTIVE)

Key designations:

Biggin Hill Safeguarding Area
London City Airport Safeguarding
Open Space Deficiency
Smoke Control SCA 4

Proposal

The application seeks retrospective planning permission for a ground floor side infill extension, first floor rear extension, alteration and extension of pitched roof to the ground floor front elevation, removal of two chimneys and elevational alterations.

The ground floor side infill extension has blocked up an existing side entrance, measuring approximately 0.8m in width and 0.7m in depth. The first floor rear extension measures approximately 3.6m in width, 1.6m in depth and 5.6m in height (from ground floor level). The elevational alterations consist of rendering the host dwelling, the enlargement of the front entrance door, the removal and addition of doors and windows to the right side elevation, and alterations to the door to the rear elevation.

Location and Key Constraints

The application site comprises a two storey detached dwelling located on the southern side of Knoll Rise, Orpington. The property is not listed and does not lie within any area of special designation.

Comments from Local Residents and Groups

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

Local Groups (Knoll Residents Association)

- The front elevation of the house has been changed significantly.
- The modern façade is completely out of keeping with the street scene and has spoiled an existing row of substantial mock Tudor houses.
- The front garden is almost entirely given over to hard standing.

Please note the above is a summary of objections received and full text is available on the Council's website.

Comments on Objections

Representations have also been received raising objection to the hard standing and front boundary treatment. These works have not been applied for under the current application and do not form part of this assessment. Planning Enforcement are aware of the works.

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 development plan for Bromley comprises the London Plan (March 2016) and the Bromley Local Plan (2019). 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
37 General Design of Development

Supplementary Planning Guidance

SPG1 - General Design Principles

SPG2 - Residential Design Guidance

Planning History

19/01176/ELUD - Ground floor infill extension to side, first floor infill extension to rear and elevational alterations (Existing Lawful Development Certificate) - Application Withdrawn.

Considerations

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

- Design
- Neighbouring amenity
- 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 (2019) 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.

Paragraph 127 of the NPPF (2019) requires Local Planning Authorities to ensure that developments will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; are visually attractive as a result of good architecture, layout and appropriate and effective landscaping and are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities). New development shall also establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit; optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

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

The ground floor side extension infills a recessed area to the flank wall of the property. The extension does not enlarge the footprint of the host dwelling, maintaining the separation distance of approximately 2.7m to the neighbouring boundary. The size, scale and bulk of the side extension does not significantly alter the appearance of the host dwelling. The extension is subservient to the main dwelling and does not result in an overdevelopment of the site. The materials match those of the host property and are therefore compatible with the application site.

The first floor rear extension projects out level with an existing rear projection. This existing rear projection does not appear to have benefited from planning permission, however the Council's records indicate that the extension has been in situ since at least 2006 and therefore would be immune from enforcement action. The first floor rear extension infills a small area at first floor and sits to the side of the existing projection. This element of the development retains a minimum separation distance of approximately 25.6m to the rear boundary of the site. The extension has a flat roof and is set down approximately 3.0m from the property's main ridge line and level with the eaves. The depth and height of this extension is subservient to the main dwelling and has not resulted in an overdevelopment of the site. Taking into account the development's size, scale and bulk, it is considered that any impact the extension may have had on the appearance of the host dwelling is not adverse enough to warrant a refusal of the application. The materials match those of the host property and are therefore compatible with the application site. Due to its placement this first floor rear element is partly visible from the Orchard Grove, however taking into account the above it is considered that the development does not harm the character of the area or the streetscene in general.

The open porch has been reduced in height and extended in width with a mono-pitched roof. The size, scale and bulk of the open porch has not significantly altered the appearance of the host dwelling. The alterations are subservient to the main dwelling and have not resulted in an overdevelopment of the site. The materials match those of the host property and are therefore compatible with the application site. In addition it is noted that No.5 has carried out a similar type of development. The removal of two chimneys and alterations to the property's doors and windows have not significantly altered the appearance of the host dwelling or resulted in an overdevelopment of the site.

The host dwelling and extensions have been rendered following the removal of the mock Tudor detailing to the front elevation. The walls are now grey in colour and the roof tiles have been replaced with those of a lighter colour. It should be noted that it would be permitted development to paint the entire dwelling the same colour and that the external treatment of the side and rear elevations was previously white painted rendered. There is also no requirement under Class C of the GPDO for replacement roof tiles to match those of the existing dwellinghouse. Therefore this assessment focuses on the impact of rendering the mock Tudor detailing and the exposed brickwork.

There are seven properties in a row along this side of Knoll Rise which are of a similar design. The other dwellings have retained the mock Tudor detailing to the first floor, exposed brick work to the ground floor front elevations and the white rendered walls to the sides and rear. There is a slight variation in design with several properties appearing to have benefited from extensions to the front (such as at Nos.5 and 17) and to the rear. While there is uniformity to the external appearance of the dwellings along this stretch of Knoll Rise it is noted that further along the road and opposite the site is made up of properties of varying design and external appearance. It is recognised that the works have disrupted the uniformity of the seven properties as a result of the dwellings positioning and that the dwelling now sits awkwardly within the row. Nonetheless it is considered that a similar outcome could have occurred had the dwelling been painted the same colour, as allowed under permitted development. Aside from the changes set out above, key architectural aspects of the dwellings original design have been retained. In addition, Knoll Rise does not sit within a conservation area or area of special residential character and the host dwelling is not a statutorily or locally listed building. It is therefore considered that, on balance, the impact on the overall appearance of the host dwelling, character of the area and the streetscene in general as a result of the elevational alterations is not adverse enough to warrant a refusal of the application.

Having regard to the form, scale, siting and materials it is considered that, on balance, the extension and alterations complement the host property and do not result in a detrimental impact upon the spatial standards and visual amenity of the area.

Neighbouring amenity

Policy 37 of the Bromley Local Plan 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 first floor rear extension projects along the shared boundary with No.5 retaining a separation distance of approximately 0.6m. The development projects past part of this neighbour's rear wall by approximately 2.5m. No.5 is set away from the shared boundary by approximately 2.3m and at a slightly lower level due to the sloping nature of the site. Taking into account the positioning of the extension, the separation distance between the dwellings and the orientation of the site, it is considered that any impact the development may have on the amenity of this neighbouring property would not be adverse enough to warrant a refusal of the application. The ground floor side infill extension and elevational alterations do not result in overshadowing, loss of light or an overbearing impact to neighbouring properties. The windows to the side and rear elevations, because of their location and size, are not considered to result in an unacceptable degree of overlooking or result in loss of privacy to neighbouring properties.

Having regard to the scale, siting and separation distance of the development, it is considered that, on balance, a significant loss of amenity with particular regard to light, outlook, privacy and prospect would not arise.

CIL

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

Conclusion

Having had regard to the above it is considered that, on balance, the development in the manner proposed is acceptable in that it does 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.

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- 1 The development shall be retained strictly in accordance with the application plans, drawings and documents hereby approved.**

Reason: To ensure that the development is retained in accordance with the approved documents, plans and drawings submitted with the application in the interest of the appearance of the building and the visual amenities of the area and in order to comply with Policy 37 of the Bromley Local Plan