

**Section '4' - Applications recommended for REFUSAL or DISAPPROVAL OF DETAILS**

**Application No :** 19/03095/FULL6

**Ward:**  
Petts Wood And Knoll

**Address :** 36 The Covert Petts Wood Orpington  
BR6 0BU

**Objections:** Yes

**OS Grid Ref:** E: 545242 N: 167142

**Applicant :** Mr Audimoolam & Ms Kandaswamy

**Description of Development:**

Demolition of existing garage and construction of a two storey side/rear extension, a single storey rear extension and elevational alterations. Alterations to roof to form loft conversion with rear dormers and roof lights.

**Key designations:**

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

**Proposal**

The application seeks permission for the demolition of the existing garage and construction of a two storey side/rear extension, a single storey rear extension and elevational alterations. The application also includes alterations to roof to form loft conversion with rear dormers and roof lights.

The two storey side/rear extension would have a width of 3.1m and project for a depth of 11.5m. It would wrap around the rear of the dwelling where it would have a total width of 10.6m and project approx. 2.8m beyond the rear of the existing dwelling at first floor level. This would include incorporating the previous two storey side/rear extension within its footprint. A further single storey rear extension would project an additional 1.9m for the full width of the proposed dwelling.

The roof of the existing two storey extension would be enlarged to join the roof of the proposed extension, forming a hipped roof with a height of approx. 8m and eaves height of 5.2m. The roof would feature two dormers to its rear, 7 rooflights in its flank roofslope and one rooflight to its front.

**Location and Key Constraints**

The application site hosts a two storey detached dwelling located on the northern side of The Covert. The site lies within the Petts Wood Area of Special Residential Character.

## 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 Cottage is unique in the road and is significant in its contribution to the status of The Covert as an ASRC.
- Acknowledge that it requires some modification.
- Overdevelopment of the site.
- Would totally change the character of the building.
- Out of character and scale with neighbouring properties.
- Proposal not sympathetic to the original character of the building.
- Proliferation of rooflights
- Rooflight does not comply with the roads ASRC status (No.44 recently refused permission and removed).
- Concerns over proximity to boundary - does not provide 1m side space.
- Development would have effect of creating a terracing appearance contrary to the original Noel Reece design.
- Loss of light.
- Demolition of garage would impact on our security - the boundary between properties should therefore be secured.
- Would disturb the privacy of immediate neighbours.
- Many other houses have been sympathetically updated over the years without affecting the overall character of The Covert, and there is a wish to retain the peaceful beauty and balance of this unique road.
- Alterations to the roof-line and reduction of side boundary space will create a 'blocky' appearance.
- Is the front garden is paved for parking this would be detrimental to the appearance of the property / area and contribute to environmental problems with run off.
- The large oak to the front has a TPO and any paving may impact on this.

### Local Groups

- Marked increase in footprint of the property.
- Fails to respect host building and constitutes an overwhelming addition in terms of size and massing.
- Concerns of proximity to adjacent property and side space to boundary - contrary to Policy 8 and description of the Petts Wood ASRC.
- Crown roofs are atypical within the Petts Wood ASRC (and has been recently dismissed on appeal decisions on other sites in the ASRC).
- Overdevelopment of the property.
- Loss of its intrinsic character, out of character with the ASRC.
- Front and side rooflights are not present in any other house (except No.8)..
- No garage includes in the plans therefore cars will park on the drive or front garden, resulting in a loss of garden to accommodate cars.

## **Comments from Consultees**

Highways: The development will result in loss of one parking space by conversion of the garage to a habitable accommodation. However, there are spaces available within the site's curtilage which would be utilised for parking. Therefore on balance as it is a small development I raise no objection to this proposal.

## **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
- 8 Side Space
- 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**

The relevant planning history relating to the application site is summarised as follows;

- 74/1136 - First floor rear extension - Permitted

## **Considerations**

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

- Design
- Highways
- Neighbouring amenity
- Trees
- 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. 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 policies further reinforce the principles of the NPPF setting out a clear rationale for high quality design.

Policy 44 requires development in Areas of Special Residential Character (ASRCs) to respect, enhance and strengthen their special and distinctive qualities.

The proposed extension would result in a considerable increase in the footprint and bulk of the dwelling, and given that the dwelling has already been extended it would result in a significant enlargement compared to the original dwelling. Given the size of the plot the development would not result in an overdevelopment of the site, however concerns are raised with regards to the impact of the overall scale and bulk of the extensions and its impact on the appearance of the host dwelling and character of the area in general.

It is considered that the overall scale and design of the extension, including its crown roof design would add significant bulk to the property and would result in an extension that would appear as an overdominant and incongruous addition to the host dwelling and within the streetscene. It is noted that the design of the roof includes a lower ridge height and a setback of 1m from the front, however it is not considered that this would be sufficient to provide a subservient addition to the host dwelling that would respect and enhance the qualities of the ASRC.

### *Side Space*

Policy 8 of the Bromley Local Plan requires extensions of two or more storeys to provide a minimum 1m separation distance to the flank boundary of the site in order to prevent unrelated terracing and to protect the spatial standards of the area. Where spatial standards of an area are higher, a greater separation distance

would normally be expected. Given the siting of the host dwelling within the Petts Wood ASRC a greater side space may normally be expected.

The Bromley Local Plan provides a description of the Petts Wood ASRC, and states that "The separation between building and the rhythm and pattern of the houses adds to the special character. In many cases there is a much wider separation between houses than in other parts of the Borough which demands a higher degree of separation between buildings to maintain the special character, the openness and feel of the area."

The proposed extension would provide a minimum of a 0.918m separation distance between its wall and the flank boundary, increasing to 1.12m to its rear. As such, the proposed extension would not meet the normal requirements of Policy 8.

It is noted that the existing two storey side extension provides a similar separation distance to the boundary of 0.918m, though this is set back significantly from the front of the property by approx. 7.3m. An existing garage (to be demolished) is currently sited in line with the front of the property abuts the boundary, though this is single storey and would not have the same impact on the spatial standards of the area as the proposed extension.

The two storey extension would be set approx. 1m back from the front of the dwelling to reduce its impact, however the proposed set back and side space is not considered sufficient to prevent an unacceptable impact on the spatial standards of the area resulting from the proposed development.

It is therefore considered that the development would conflict with the aims of Policy 8 and would result in a cramped development that would impact detrimentally upon the character and spatial standards of the ASRC.

### *Proposed Rooflights*

With regards to the proposed rooflights, it is noted that a recent appeal decision at No.44 The Covert (APP/G5180/D/19/3222670) dismissed an appeal seeking permission for the addition of a rooflight in the front elevation. Within this appeal, The Inspector noted that "The consistency in the front elevation roof lines is largely untouched by roof extensions or conversions and the symmetry between pairs of houses is of importance in defining the character of the area.". It was considered that the "effect of the roof light, whilst being relatively small, has disrupted the roof slope and caused imbalance to the pair of dwellings. Its projection appears awkward, overly modern and incongruous. Owing to this unique setting, it does not respect, enhance and strengthen the special and distinctive qualities of the ASRC."

Within the streetscene it appears there is only one other rooflight to the front elevation, at No.8. This was granted permission before the adoption of the BLP (2019), and the comments of the Inspector regarding the setting of No.8 being very different to No.44 are noted given that No.8 features more modern dwellings nearby.

It is noted that the application site at No.36 is detached and that the rooflight would not impact on the symmetry of a pair of dwellings. Furthermore, the design of the proposed rooflights are somewhat different to that previously proposed to No.44 given that they would have a Conservation rooflight design to have a lower profile and slimmer frame section compared to normal rooflights.

The proposed extension is set back from the front of the existing dwelling and this would limit views of the front rooflight when approaching from the east, though it would remain highly visible from the front and when approaching from the west. Furthermore, the addition of a total of 7 additional rooflights in the flank roofslopes would further contribute to the impact given that these would be highly visible in the streetscene.

The Article 4 Direction in place for the ASRC removes the permitted development right to insert roof lights to the front elevation, and it is therefore noted that rooflights may be considered permitted development in the flank elevations. Whilst this provides a fall-back position to some extent, when considered against the policies of the adopted BLP it is considered that given the excessive number of side rooflights this would contribute to the impact on the ASRC. This could also set a precedent for other rooflights in the street which would undermine the quality and unspoilt nature of the ASRC, as outlined in the Inspectors report for the appeal at No.44.

Whilst it is acknowledged that the rooflights have been designed to minimise their impact, it is considered that the setting of the host dwelling is such that the addition of any rooflights would not respect or enhance the distinctive qualities of this part of the ASRC. The proposed front rooflight would result in an unacceptable harm to the character and appearance of the ASRC, which would be further enhanced by the addition of a significant number of flank rooflights which would also be highly visible from the streetscene.

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

The development will result in loss of one parking space by conversion of the garage to a habitable accommodation. However, there are existing spaces available within the site's curtilage which would be utilised for parking and therefore Highways Officers have raised no objection to the proposed development.

### 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 adjacent property at No.34 benefits from a single storey rear extension which currently projects beyond the rear of the application dwelling, and the proposed extension would not project beyond the rear of this extension. At first floor level, the extension would project approx. 3.5m beyond the first floor level of this neighbour. This rearward projection is not considered overly excessive, and given the separation distance to the nearest rear window of this neighbour it is not considered that it would result in any significant or unacceptable loss of light or outlook. The first floor flank wall would not include any windows and thus the extension would not harm the privacy of this neighbour.

With regards to No.38, the proposed extension would result in the dwelling projecting adjacent to the boundary at two storey level for its full depth, and approx. 3m beyond its rear at first floor level. The single storey rear element would project an additional 1.9m, though the impact of this would be mitigated by the existing garage at No.38 which would screen this element from view.

The extension would be set 0.92m from the shared boundary, and would have a greater separation to the flank wall of this neighbour which would partially mitigate its impact. Furthermore, it would be set further from the shared boundary than the existing garage which would be demolished, though it is noted that the additional height of the first floor and roof would result in a degree of additional harm.

The depth of the extension at first floor level beyond the rear of No.38 is not considered excessive, and whilst the increased bulk adjacent to the boundary would result in a degree of additional harm it is not considered that it would result in such significant loss of light or outlook that would warrant a refusal of the application on these grounds. The proposed windows in the facing elevation are obscure glazed, and the addition of a door is not considered to result in any significant harm to the privacy of this neighbour.

### **Conclusion**

Having had regard to the above it is considered that the development in the manner proposed is unacceptable as it would impact detrimentally on the appearance of the host dwelling and the character of the ASRC.

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: APPLICATION BE REFUSED**

The reasons for refusal are:

- 1 The proposal, by reason of its overall scale and bulk and the addition of rooflights in prominent roofslopes, would be detrimental to the appearance of the host dwelling and to the streetscene generally, causing harm to the Petts Wood Area of Special Residential Character contrary to Policies 6, 37 and 44 of the Bromley Local Plan.**
  
- 2 The proposal does not comply with the Council's requirement for side space to be maintained to the flank boundary in respect of two-storey development in the absence of which the extension would constitute a cramped form of development, out of character with the street scene, conducive to a retrograde lowering of the high spatial standards to which the area is at present developed and contrary to Policy 8 and 44 of the Bromley Local Plan**