

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

**Application No :** 19/03254/FULL6

**Ward:**  
Petts Wood And Knoll

**Address :** 75 Lynwood Grove, Orpington BR6 0BQ **Objections:** Yes

**OS Grid Ref:** E: 545374 N: 166661

**Applicant :** Mr & Mrs Jinesh Patel

**Description of Development:**

Loft conversion incorporating rear dormer and rooflights to both sides and rear

Key designations:

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

**Proposal**

Permission is sought for a loft conversion to include a rear dormer and roof lights.

The dormer will be 3m wide and will sit comfortably within the rear roof slope. It will contain one rear window. The dormer cheeks will be tile hung to match the existing roof materials. Two roof lights are proposed within each side roof slope and one rooflight within the rear roof slope.

Revised plans were received on the 24th September 2019 which replaced a Juliet balcony with a window in the rear of the proposed dormer.

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

**Location and Key Constraints**

The site is a two storey detached property located on the western side of Lynwood Grove. The topography of the area slopes down from south to north.

The site is located within an Area of Special Residential Character, following recent adoption of the Bromley Local Plan (January 2019).

**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 supporting floor plans. elevations are confusing and are missing windows
- If front window is proposed, I object given the elevated position of no.75 compared to houses opposite this and would cause a significant loss of privacy
- This additional application for a loft extension is very similar to the original application that was withdrawn
- Proposal still includes the installation of a very large dormer window with a Juliet balcony at the rear resulting in neighbouring gardens being completely overlooked therefore suffering a significant loss of privacy
- This is very relevant in regard to the adjacent property at No 77 given the ground level is approximately 2 meters lower than No 75
- The proposed development is too big in our view for the narrow size of the property, when including the loft conversion, the house will approximately double the size of the house original house to around 300 sqm. (ref 18/04731 plus current application)
- The loft conversion shows a large flat roof dormer. The dormer windows must be set back from the soffit and down from the ridge line. The dormer should not dominate the roof line.
- The proposed dormer with Juliet balcony is even larger than the prior planning application which was rejected and withdrawn (ref 18/03881).
- This section of Lynwood Grove is narrow and rises steeply so an even larger extension may cause subsidence problems
- There are inconsistencies in the newly submitted plans; on the proposed site and roof plan there is only one rooflight window facing the north side of the house whilst on the proposed elevation plan there are two rooflight windows on the north side
- Overbearing and deprive us from both privacy and even more sunlight
- The full-length window including Juliet balcony on the loft conversion should be reduced to standard size windows and the dormer should be reduced in size.
- The proposed windows on the side north side will directly overlook us and provide perfect view into conservatory and our daughters bedroom on the first floor. The north facing windows should be removed or at a minimum all windows north facing must be fixed and obscured
- There should be no increase in roof height any more than the already approved plans 18/04731 being USE 8.035 meters
- The "Proposed Site Plan" shows incorrect boundary lines as the hedge sits on the grounds to number 77
- Lawn has been raised 1m
- Overlooking. There is a slight rotation of number 75 within the plot towards number 73 and therefore the proposed balcony window will be directed towards the garden of number 73
- The proposed south facing roof windows will overlook into our first floor north facing bedroom windows and front (east) facing first floor bedroom windows, with a further loss of privacy.

- The proposed development would further enlarge the property to an overbearing degree, out of keeping with the current open aspect of Lynwood Grove.

#### Local Groups:

- The Knoll Residents' Association objects to this application. Installing this very large dormer window with a balcony at the rear of the house means that neighbouring gardens will be completely overlooked. As a result the residents on either side and possibly at the rear of the property will suffer a significant loss of privacy

Revised plans were received 24th October 2019. Nearby owners/occupiers were re-notified and representations were received, which can be summarised as follows:

#### Support:

- The rooflight on the south facing roof in the new position addresses our concern about overlooking our front bedroom.
- The exchange of a Juliet balcony for windows in the dormer addresses our concerns regarding a loss of privacy in our rear patio and garden.
- We would therefore support the revised application
- The plans for number 75 are fully in keeping with the style of properties in Lynwood Grove with many having the same or very similar to what this application is for; with similar applications approved in the past few years.
- The plan's design does not have any overbearing feel to anyone with the rear dormer and windows.
- This application adds further to modernizing the property and improving the look of not just this property, but the road.

### **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 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  
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:

- 73/03269 - Replacement of attached garage (living room and garage) - Permitted 23.10.1973
- 79/01715 - Alterations and extension to existing conservatory - Permitted 02.08.1979
- 18/04731/FULL6 - Demolition of existing side garage and extension, and rear extension. Two storey front/side extension and part two storey/single storey rear extension - Permitted 13.03.2019
- 18/04731/CONDIT - Details of condition submitted in relation to planning permission reference: 18/04731/FULL6, Condition 3: Soft landscaping, Condition 4: Slab levels - Approved 13.06.2019

### **Considerations**

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

- Resubmission
- Design
- Neighbouring amenity

#### Resubmission

The site has been subject to a recent permission under ref. 18/04731/FULL6, for the 'demolition of existing side garage and extension, and rear extension. Two storey front/side extension and part two storey/single storey rear extension.'

The current proposal seeks permission for a loft conversion with rear dormer and roof lights. The dormer will be 3m wide and will contain one rear window.

## 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 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 site is located within The Knoll Area of Special Residential Character (ASRC). Policy 44 states that proposed developments within an ASRC will be required to respect, enhance and strengthen their special and distinctive qualities.

The proposed dormer will be 3m wide and will contain one rear window. The dormer will be set comfortably within the rear roof slope therefore will not be visible from the street. No roof lights are proposed within the front roof slope. As such, the proposal is not considered to impact on the character of the host property or surrounding ASRC.

It is also noted that a number of nearby properties have been subject to recent permissions for similar dormer extensions, including the neighbouring property to the north No.77 (18/05522/FULL6). Therefore the proposal is considered to be in keeping with surrounding development.

Having regard to the form, scale, siting and proposed materials it is considered that the proposed dormer would complement the host property and would not appear out of character with surrounding development or the wider ASRC.

## 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.

It is noted that the topography of the area is such that the ground slopes down from south to north. Furthermore, the properties are staggered. As such, the application site is set lower and forward of No.73, but higher and to the rear of No.77.

The rear dormer will have a flat roof and contain one rear window. Whilst dormers in some locations can increase overlooking to an unacceptable level it is

considered that the addition of a dormer to the rear of No.75 would not create any loss of privacy over and above what would normally be expected in a residential setting such as this. Furthermore, there is approximately 80m separation to the properties at the rear (Dale Wood Road) therefore it is not considered to result in a detrimental impact on neighbouring amenity.

The proposal also includes additional roof lights within the side and rear roof slopes however they are high level and modest in size therefore are not considered to result in an impact on neighbouring amenity.

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.

### 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 24.09.2019**  
**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, 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 37 of the Bromley Local 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 37 of the Bromley Local Plan and in the interest of the visual and residential amenities of the area.**