

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

Application No : 18/05086/FULL6

Ward:
Petts Wood And Knoll

Address : 58 Birchwood Road Petts Wood
Orpington BR5 1NZ **Objections: Yes**

OS Grid Ref: E: 544759 N: 168235

Applicant : Mr Andy Pybus

Description of Development:

Two storey side and rear extension and roof extensions including side dormers and gable end to rear, front porch extension, conversion of garage to habitable room and front bay window to ground floor and terrace patio to rear

Key designations:

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

Proposal

The proposal involves roof alterations to provide habitable accommodation in the roofspace, conversion of the attached garage to habitable accommodation and single storey side and rear extensions.

The proposed roof alterations would incorporate an increase in the pitched roof incline from a 46 degree angle to 54 degree pitch, a side dormer with a width of 3.2m and a pitched roof with a height of 2.9m, side rooflights and a rear hip to gable enlargement.

The proposed single storey rear extension would have a depth of 3.9m, a width of 5.1m and would have a dual pitched roof with a ridge height of 3.6m and eaves height of 2.8m.

The single storey side extension would link up with the converted garage and would have a width of 2.8m beyond the south east flank, a length of 4.2m and would have a flat roof with a height of 2.2m.

Amended plans were received for this proposal on the 7th November 2019 which involve the reduction of the rear extension from two storeys to a single storey and a reduction in ridge height from the existing ridge level by 0.35m.

Location and Key Constraints

The application property is a detached two storey house which lies on the north eastern side of Birchwood Avenue. The property is located within the Petts Wood Area of Special Residential Character. There is also an Article 4 direction in place which restricts certain permitted development rights.

The property is located adjacent to a culvert and lies within Flood Zone 2 and 3.

Comments from Local Residents and Groups

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

General Comments

- Would like confirmation that the windows on the right hand side as you face the property will be obscured glass to retain privacy

Comments from Consultees

Environment Agency: The proposed development will only meet the requirements of the National Planning Policy Framework if the submitted proposed plans submitted with this application is implemented and secured by way of a planning condition on any planning permission.

Flood Risk Activity Permit

The Kyd Brook is a designated 'main river' and under the Environmental Permitting Regulations (England and Wales) 2016, any activity in, over, under or within 8 metres of the river may require a flood risk activity permit (<https://www.gov.uk/guidance/flood-risk-activities-environmental-permits>). To apply for a flood risk activity permit we recommend you contact one of our Flood and Coastal Risk Management Officers at the following email address: PSO.SELondon&NKent@environment-agency.gov.uk.

Highways: There is parking available for a number of vehicles on the frontage. No objection to the application.

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 in February 2019.

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

5.12 Flood risk management
7.4 Local character
7.6 Architecture
7.8 Heritage assets and archaeology

Local Plan

6 Residential Extensions
30 Parking
37 General Design of Development
44 Areas of Special Residential Character
115 Reducing Floor Risk

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

Application Number

15/05441- Installation of new electric entrance gates and boundary treatment to front - Allowed on appeal

Considerations

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

- Design
- Impact on the Area of Special Residential Character (ASRC)
- Highways
- Neighbouring amenity

- Flood Risk
- 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 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 and the Council's Supplementary Planning 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.

Policy 44 of the BLP relates to Areas of Special Residential Characters and states that development will be required to respect, enhance and strengthen their special and distinctive qualities.

The proposed single storey rear and side extensions would not be clearly visible from the public areas of the road and wider ASRC therefore these would not result in a significant visual impact on the appearance of the ASRC.

The rear extension would have a depth of 3.9m which is not excessive having regard to the scale of the host property and it would not span the full width of the dwelling as it would be set back by 1.8m from the south eastern flank. The single storey extension would have a modest flat roof height of 2.2m and would not project beyond the rear of the host dwelling or flank of the existing garage. As such, the proposed ground floor extensions are considered to appear subservient to the host property and would not overdevelop the site.

In terms of the proposed roof alterations, the proposal would increase the incline of the roof, extending the ridge level, and would incorporate a side dormer and rear hip to gable extension. In the vicinity of the site, there is some variation in the form and bulk of the roof profiles and property types and there are some examples longer ridgelines such as at Nos. 54 and 52. Therefore, the proposed development would not appear out of keeping with the neighbouring properties. The proposed side dormer would be significantly set back from the front elevation, by a distance of 5.9m, and the proposed rooflights would be situated away from the prominent front roofslope therefore these alterations would not appear prominent within the street scene. The proposal would retain the existing front gable feature with the enlarged roof profile being set back from this gable and given the variation in the roof profiles and sizes, it is not considered that the proposed roof alterations would appear harmfully out of character with the surrounding development or have a seriously detrimental impact on the visual amenity of the Petts Wood ASRC.

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

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 Bromley Local Plan should be used as a basis for assessment.

The proposal involves the conversion of the garage to habitable accommodation therefore resulting in the loss of an on-site car parking space. However, there is an existing hardstanding on the site frontage which provides onsite parking for a number of vehicles, approximately 3-4 cars, which would still be sufficient for the property and no objections were raised by the Highways Officer. Therefore, the proposal is not considered to result in a detrimental impact on local on street parking conditions or highways safety.

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.

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

There is significant level of separation between the host dwelling and No. 56 to the east as these sites are separated by Kyd Brook, with a separation of over 6m between these neighbouring properties. The proposed rear extension would be set back from the flank to this side resulting in a greater level of separation between the rear extension and No. 56 therefore it would not have a harmful visual impact

on this neighbouring property. Furthermore, this neighbouring property has an outbuilding to the rear of the property which is sited along the river boundary therefore adjacent to the site which would screen much of the property rear extension. The proposed side extension would have a modest flat roof height of 2.2 and given the separation to the flank of the neighbouring property, it is not considered that it would have a significant visual impact over the existing development.

To the western side, No. 60 has a significant rear projection beyond the host dwelling which is situated adjacent to the site boundary and would have a similar rear projection to the proposed single storey rear extension. The proposed rear extension would be set back from the As such, the proposed rear extension would not be clearly visible from the rear windows and main amenity space of No. 60 and it is not considered that it would result in an adverse impact on this neighbours' amenity. The proposed roof alterations would involve a rear hip to gable extension and increase in the pitched roof incline which would project beyond the rear of No. 60 as the main rear elevation of the host dwelling is further back than this neighbouring property by approximately 1.7m beyond the two storey extension to No. 60, which is not a significant rear projection. There would be a separation of over 2.4m to the proposed rear gable and the first floor windows of No. 60 and therefore given the reasonably limited rear projection, it is not considered that a significant detrimental impact would result on the outlook, light and prospect of this neighbouring property.

The proposed side dormer would serve a stairwell and would have obscure glass and be non-openable below 1.7m from the floor level and the side rooflights would be situated at a high level in the roof slope therefore it is not considered that a harmful loss of privacy would result. A condition could be imposed to ensure that the side dormer window is obscure glass to prevent a loss of privacy.

The rear Juliet window would be situated at a higher level than the existing rear fenestration however it would be situated towards the centre of the property therefore a significant distance from the site boundaries, with a gap of 3.5m to the north west flank boundary. Therefore, it is not considered that it would result in a significant level of overlooking to the neighbouring properties over the existing rear fenestration.

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.

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 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.

- 4 Before the development hereby permitted is first occupied the proposed window(s) in the side dormer shall be obscure glazed to a minimum of Pilkington privacy Level 3 and shall be non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed and the window (s) shall subsequently be permanently retained as such.**

Reason: In the interests of protecting residential amenity in accordance with Policy 37 of the Bromley Local Plan

- 5 The proposed rear extension will not encroach further than 5 metres to the landward edge of the Kyd Brook river wall, as shown in the submitted drawing 668/015A 'TYPICAL SECTION', (Dated September 2019)**

To minimise the risk of damage to the riverbank and to prevent an increased risk if flooding as in accordance with Policy 115 of the Bromley Local Plan.