

Committee Date	04.02.2021	
Address	49 Birchwood Road Petts Wood Orpington BR5 1NX	
Application number	20/03924/FULL6	Officer: Jennie Harrison
Ward	Petts Wood and Knoll	
Proposal	Proposed single storey side/rear extension forming a new store room/covered barbeque area and installation of 2no. new bi-folding doors to the rear elevation.	
Applicant	Agent	
Mr Darren Arman	Mr Christopher Jordan	
Reason for referral to committee	Call-In	Councillor call in Yes

RECOMMENDATION	Permission
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KEY DESIGNATIONS
<ul style="list-style-type: none"> • Area of Special Residential Character • Biggin Hill Safeguarding Area • London City Airport Safeguarding • Smoke Control SCA 4

Representation summary	Neighbour letters were sent on. 05.11.2020
Total number of responses	1
Number in support	0
Number of objections	1

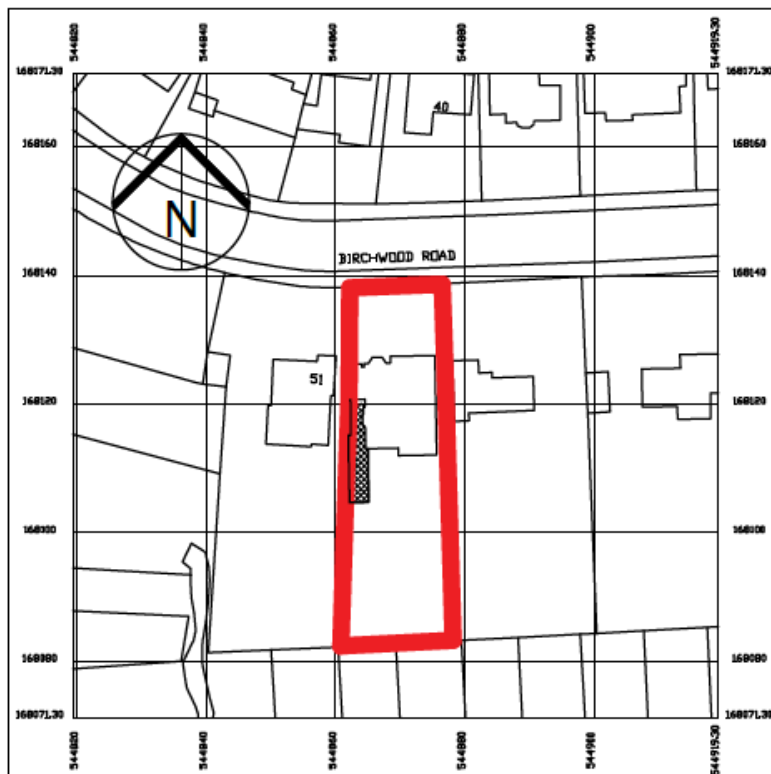
1 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- Extension would not be visible from the street scene and would therefore have no impact on Area of Special Residential Character

- Extension would project 2.9m past the rear building line of number 51 and would therefore have little impact on the outlook and amenity of the occupiers of number 51
- Extension is set over 12m from the boundary with number 47 and would therefore have little impact on the outlook and amenity of the occupiers of number 47
- One extract vent points towards the rear garden and would therefore direct smoke away from the host and neighbouring dwellings.

2 LOCATION

- 2.1 The application site is a two storey detached house on the Southern side of Birchwood Road, Petts Wood and falls within the Petts Wood Area of Special Residential Character.



3 PROPOSAL

- 3.1 Permission is sought to create a side and rear extension that would incorporate a store room to the side and a partially open-sided barbeque area to the rear. It would have an overall depth of 14.5m, a width at the side of 2.2m extending to a width of 3m towards the rear. It would have an eaves height of 2.8m and a ridge height of 3.8m.
- 3.2 Permission is also sought to insert bifold doors into the existing lounge at the rear of the dwelling.

3.3 Existing and proposed plans



SIDE ELEVATION
(VIEWED FROM No. 47)



SIDE ELEVATION
(VIEWED FROM No. 47)



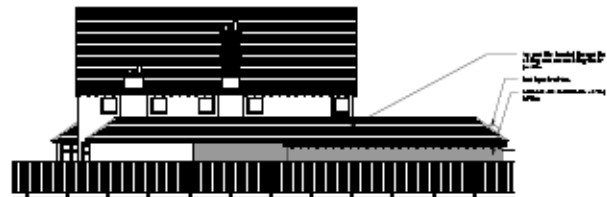
REAR ELEVATION



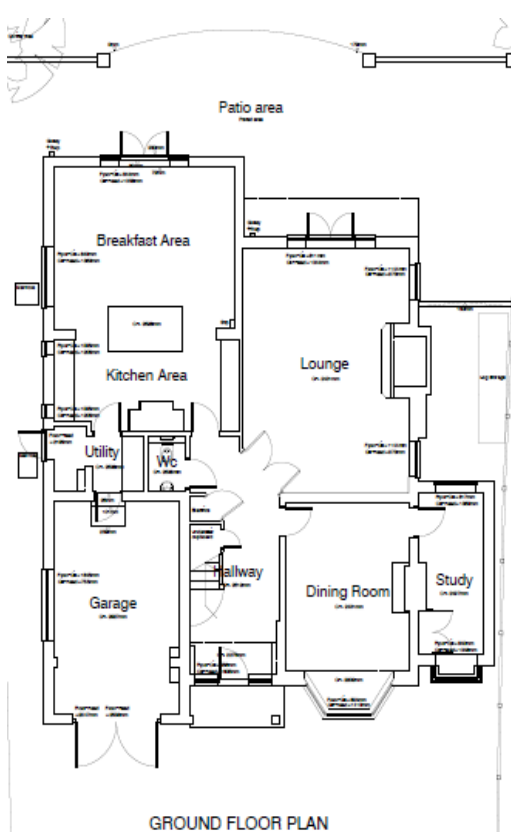
REAR ELEVATION



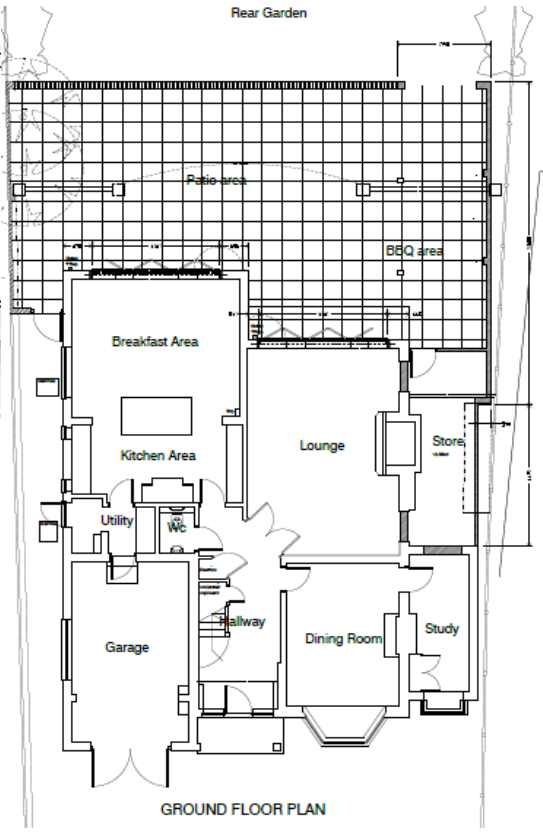
SIDE ELEVATION
(VIEWED FROM No. 51)



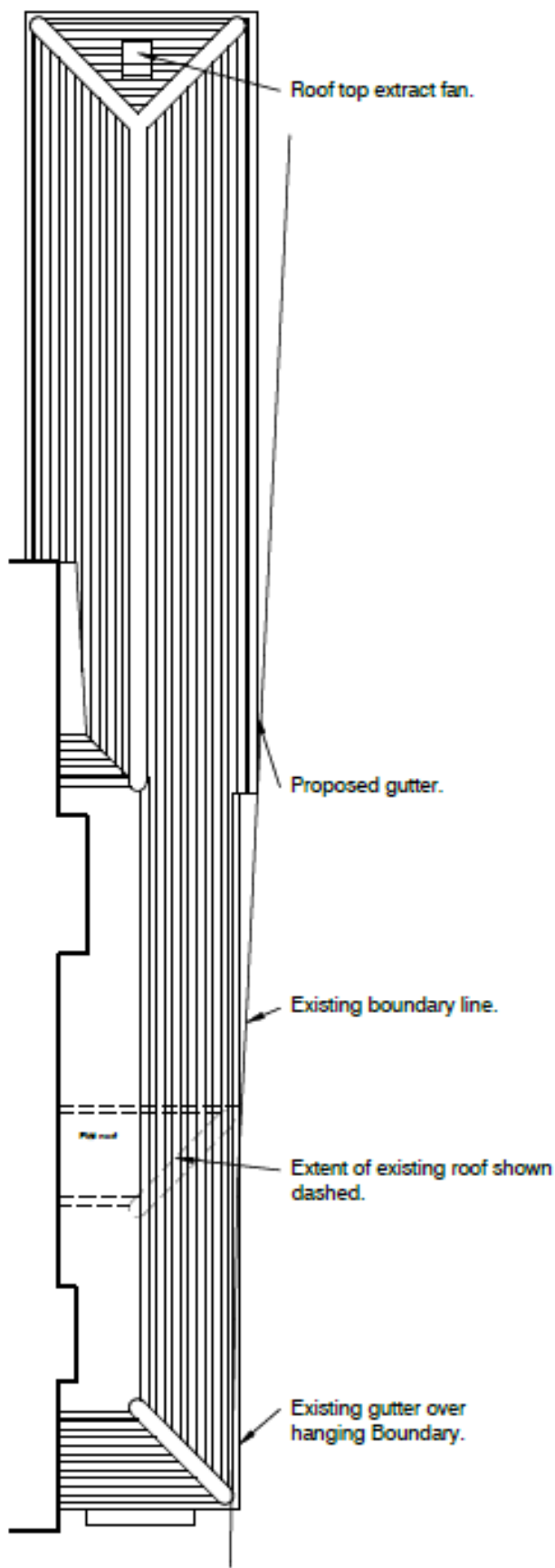
SIDE ELEVATION
(VIEWED FROM No. 51)



GROUND FLOOR PLAN



GROUND FLOOR PLAN



ROOF PLAN

4 RELEVANT PLANNING HISTORY

- 4.1 The relevant planning history relating to the application site is summarised as follows:
- 4.2 Under ref 06/00268/FULL6 permission was granted for Single storey front side and rear extensions first floor side extension
- 4.3 Under ref 06/02900/FULL6 permission was granted for Single storey front side and rear extensions plus first floor side extension (amendments to permission granted under ref 06/00268)
- 4.4 Under ref 12/01718/FULL6 permission was refused for a First floor rear extension

5 CONSULTATION SUMMARY

A) Statutory

No Statutory Consultations were received.

B) Local Groups

No Comments from Local Groups were received.

C) Adjoining Occupiers

Objections – Neighbouring amenity

Guttering (addressed in para 7.2.1 and 7.2.2)

- Guttering will be inaccessible as a result of the works and prevent maintenance
- Potential for the return of previous damp issues as a result of unmaintained guttering
- Guttering already overhangs the boundary at the front
- Guttering will encroach and exceed the neighbour's boundary

Loss of light (addressed in para 7.2.4)

- Loss of light to number 51's kitchen

Extraction vent (addressed in para 7.2.3)

- Object to extract vent facing the boundary

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

6 POLICIES AND GUIDANCE

- 6.1 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.

- 6.2 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.
- 6.3 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.
- 6.4 An updated 'Intend to Publish' version of draft London Plan – entitled Publication London Plan December 2020 - was published on 21 December 2020. This version of the draft plan includes changes made by the Mayor in response to a number of Directed Changes made by the SoS in March and December 2020. The relevant documents are available on the Mayor's website - <https://www.london.gov.uk/what-we-do/planning/london-plan/new-london-plan/publication-london-plan>
- 6.5 The draft new London Plan (December 2020) is a material consideration in the determination of this planning application. Paragraph 48 of the NPPF states that decision makers may give weight to relevant policies in emerging plans according to: (1) the stage of preparation of the emerging plan; (2) the extent to which there are unresolved objections to relevant policies in the emerging plan; and (3) the degree of consistency of relevant policies to the policies in the Framework.
- 6.6 The draft New London Plan is at a very advanced stage; in a Written Ministerial Statement dated 15/12/2020, the SoS indicated that he expects to agree the London Plan with the Mayor early in the new year (early 2021).
- 6.7 The London Assembly considered the draft new London Plan at a plenary meeting on 6 February 2020 and did not exercise their power to veto the plan.
- 6.8 Prior to issuing further Directed Changes in December 2020, the SoS (in two SoS call-in appeals in the Royal Borough of Kensington and Chelsea, appeal ref: APP/C5690/W/18/3205926; and the London Borough of Hounslow, appeal ref: APP/G6100/V/19/3226914) had established that the draft London Plan policies are capable of having significant weight where they weren't subject to Directed Changes.
- 6.9 Considering this information against paragraph 48 of the NPPF, the draft new London Plan (December 2020 'Intend to Publish' version) is considered to have very significant weight where there are no Directed Changes to policies; and significant weight where there are Directed Changes to policies. Taking this into account, the draft new London Plan policies should be used to determine this

planning application, alongside policies in the adopted Local Plan and adopted London Plan. Where there is conflict between the policies in the draft new London Plan and the policies in the adopted Development Plan, the draft new London Plan should generally be given primacy although this may vary from case to case.

6.10 Upon adoption of the new London Plan, it will become the most up-to-date Development Plan Document for the London Borough of Bromley, and therefore, in accordance with section 38(5) of the Planning and Compulsory Purchase Act 2004, “if to any extent a policy contained in a development plan for an area conflicts with another policy in the development plan the conflict must be resolved in favour of the policy which is contained in the last document to become part of the development plan.”

6.11 The application falls to be determined in accordance with the following policies:-

6.12 National Policy Framework 2019

6.13 The London Plan

7.4 Local character

7.6 Architecture

6.14 Draft London Plan

D1 London's form and characteristics

D4 Delivering good design

D5 Inclusive design

6.15 Bromley Local Plan 2019

6 Residential Extensions

37 General Design of Development

44 Areas of Special Residential Character

6.16 Bromley Supplementary Guidance

Supplementary Planning Guidance 1 - General Design Principles

Supplementary Planning Guidance 2 - Residential Design Guidance

7 ASSESSMENT

7.1 Design – Layout, scale and impact on ASRC – Acceptable

7.1.1 The extension would be to the rear and side of the property and not visible from the front of the property, it is considered therefore that there would be no significant impact on the character and appearance of the street scene.

- 7.1.2 The materials where practical will match the existing dwelling and the rear part of the extension would incorporate a pitched roof which would complement the host dwelling and help to maintain the character and appearance of the existing property.
- 7.1.3 The bi-fold doors to the rear would be white to match the existing windows and would not have any significant impact on the character and appearance of the host dwelling.
- 7.1.4 Having regard to the form, scale, siting and proposed materials it is considered that the proposed rear extension would complement the host property and would not appear out of character with surrounding development Area or street scene generally. Given its siting to the rear of the dwelling it is not considered that the character of the ARSC would be harmfully impacted as a result of the proposed development.

7.2 Residential Amenity – Acceptable

- 7.2.1 It is noted that the neighbour at number 51 has raised objections in regards to guttering overhanging the boundary, however the applicant has provided a proposed roof plan which shows the guttering will be located within the boundary line.
- 7.2.2 The neighbour had also raised concerns about maintaining their own guttering as a result of the proposed extension which extends near to the common boundary, however the plans show that the development would be entirely within the application site and this would therefore be a private matter between the applicant and the neighbour.
- 7.2.3 The neighbour has also raised concerns regarding an extract vent, which appeared on the originally submitted plans however this was removed and drawing 20174_002 (REXH) shows just one extract vent which points towards the rear garden.
- 7.2.4 At present the adjoining property at number 51 has a rearward projection of 5.4m past the existing lounge. The covered barbeque porch is proposed to extend 8.3m past the existing lounge, resulting in additional depth of 2.9m past the rear of number 51. Having regard to this limited projection together with the nature of the roof which would pitch away from the boundary, it is not considered that the development would cause any significantly detrimental harm to the adjoining occupiers at number 51.
- 7.2.5 The extension is set around 12.5m from the boundary with number 47 and as such it is considered that this would not cause any significant impact on the adjoining occupiers at number 47.
- 7.2.6 The alteration to the windows and doors at the rear are not considered to have any detrimental impact on neighbouring amenity.

7.2.7 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.

8 CONCLUSION

8.1 Having regard to the above, the development in the manner proposed is acceptable in that it would not result in a significant impact on the character and appearance of the surrounding area including the ASRC and would not harm the amenities of neighbouring residential properties.

8.2 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 Permitted

Subject to the following conditions:

- 1. Standard Time Limit**
- 2. Standard Compliance with Plans**
- 3. Matching Materials**

Any other planning condition(s) considered necessary by the Assistant Director of Planning.