

<b>Committee Date</b>	27/05/2021	
<b>Address</b>	150 Kingsway Petts Wood Orpington BR5 1PU	
<b>Application Number</b>	21/01340/FULL6	<b>Officer</b> – Robin Evans
<b>Ward</b>	Petts Wood and Knoll	
<b>Proposal</b>	Demolition of existing conservatory. Erection of part single storey/part two storey front/side extension and elevational alterations.	
<b>Applicant</b>	<b>Agent</b>	
Mr & Mrs Williams		
150 Kingsway Petts Wood Orpington BR5 1PU		
<b>Reason for referral to committee</b>	Call-In	<b>Councillor call in</b> Yes

<b>RECOMMENDATION</b>	Application Permitted
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<p>KEY DESIGNATIONS</p> <p>Area of Special Residential Character Biggin Hill Safeguarding Area London City Airport Safeguarding Smoke Control SCA 4</p>
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<b>Representation summary</b>	Neighbour letters sent 19.04.2021	
Total number of responses		3
Number in support		0
Number of objections		3

## 1. SUMMARY OF KEY REASONS FOR RECOMMENDATION

- The development would not impact detrimentally on the character of the area including the Petts Wood ASRC,
- The development would not have a significantly harmful impact on the amenities of neighbouring residents
- The development would not have harmful highway impacts.

## 2. LOCATION

- 2.1 The application site is No. 150 Kingsway, Petts Wood, Orpington, a detached two storey dwelling located on the northern side of Kingsway at the junction with Towncourt Crescent. The building is positioned almost in the centre of the plot; although closer to the northern boundary with No. 16 Towncourt Crescent, and it is set back from the frontage of Towncourt Crescent. It has an elongated/linear form with a wider frontage and a shallower depth. As mentioned below there is an extensive history and the dwelling has been extended a number of times. The land is predominantly level with boundaries marked mainly by trees, hedged and vegetation. The dwelling is not listed and does not lie within a Conservation Area; however, it lies within Petts Wood Area of Special Residential Character.
- 2.2 According to the Bromley Local Plan the Petts Wood ASRC area includes circa 1500 dwellings within detached and semi-detached properties on circa 112 ha of land. It is bounded by the railway to the north, Chislehurst Road Conservation Area to the north east, tree preservation orders and the railway to the north west and the west (excluding Urban Open Space, properties within Petts Wood Station Square Conservation area and other areas which include retail and car parking uses), part of St John's Road to the south west, the Chenies Conservation Area and residential areas considered to be of distinct character and/or standard to the south and west of Crofton Lane and east of Grosvenor Road.
- 2.3 The original plans for Petts Wood date from the late 1920s and the early 1930s. Whilst there have been some changes post war the prevailing design of the buildings is from the 1930s and remains largely intact. Some of the properties have been built by the distinguished designer Noel Rees who designed all of the buildings within the neighbouring Chenies Conservation area. Whilst houses were built over a number of years, in a number of similar though varied styles, the road layout and plot sizes were established in an overall pattern, following the garden suburb principle which largely remains intact today. The large plots which are spaciouly placed were originally designed following the garden suburb principle by developer Basil Scruby. The regularity of front building and rear building lines, the consistency in the front roof lines largely untouched by roof extensions or conversions and the symmetry between pairs and neighbouring pairs of houses are of importance in defining the character of the area. The Petts Wood ASRC has an open, suburban and semi-rural feel, predicated by low boundaries and visible front gardens set back from the road as well as the width of the separation between the houses which is of a particularly high standard. This allows many of the trees and greenery which prevail throughout the area to be seen from the street. Large rear gardens also provide the area with a high level of amenity. The plot sizes, the alignment of

the houses to the Garden Suburb principle underline the character, rhythm, symmetry and spatial standards of the ASRC.

- 2.4 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. Where there are pairs of houses that complement the rhythm of the street scene there is also a prevailing symmetry between the houses. This symmetry can also be seen between neighbouring pairs. The plots are set out in such a way that the spacious character is one of a clear detached and semi-detached nature. The front roof lines also enhance the character of the area being largely untouched by roof extensions and conversions at the front.
- 2.5 This allows many of the trees and greenery which prevail throughout the area to be seen from the street scene. Large rear gardens often in excess of 120ft are a feature of the ASRC and provide the area with a high level of amenity and contribute to nature conservation.
- 2.6 Some of the dwellings have been altered and extended in various ways.



Fig. Site location plan



Photo 1. No. 150 Kingsway looking north.



Photo 2. Within No. 150 Kingsway looking north towards No. 116 Towncourt Crescent.



Photo 3. Relationship between No. 150 Kingsway (right of picture) and No. 16 Towncourt Crescent (left of picture).

### 3. PROPOSAL

- 3.1 Planning permission is sought for demolition of existing conservatory and erection of part single storey/part two storey front/side extension and elevational alterations.
- 3.2 The proposal differs from the previous planning application 20/04607/FULL6 as it would omit the single storey projection to the north side boundary.
- 3.2 In support of the application and in response to representations received the Applicant states:
- Some objectors are well separated from the application site and would not be impacted,
  - The building line in the area is undulating, the proposal would not project forward of or detract from the building line along Towncourt Crescent (as mentioned in the Council's previous Committee report),
  - The application site was originally intended for two dwellings No. 14 Towncourt Crescent and No. 150 Kingsway, however only No. 150 was built, and therefore the existing plot intended for two dwellings would not be overdeveloped by the proposed extensions,
  - There are other larger dwellings with more plot coverage in Petts Wood,

- The design including gable end and mock Tudor features would reflect those in Towncourt Crescent,
- The plot is well screened by vegetation,
- Other properties extend up to the boundary(ies),
- The previously proposed single storey element projecting close to the northern boundary has now been omitted as Members discussed at the previous Planning Committee meeting,
- The Council's previous planning Committee report recommended approval,
- There is no intention to subdivide the plot/dwelling, this is not relevant would be assessed separately if required (this was acknowledged in appeal decision). The original and new staircases were a consequence of previous extensions and not left intentionally to assist future subdivision,
- The upper floor would not project close to No. 16 than the existing upper floor and the roof would be hipped, it would not affect light to the nearest part of No. 16 (the garage) or the upper floor south flank window serving the staircase,
- The previous Appeal Inspector's comments re: overshadowing are taken out of context and relate to previous appeal proposals, the current proposal would not overshadow neighbouring properties,
- An extension and driveway at No. 16 Towncourt Crescent encroaches over the boundary with No. 150 Kingsway; diverting it from its original line,
- The Planning Committee did not consider the previous application objectively, it was deferred to seek amendments, and in the meantime has been appealed against non-determination,



Fig 2. Proposed floor plans.



Fig 3. Proposed elevations.

#### 4. RELEVANT PLANNING HISTORY

- 4.1 The relevant planning history relating to the application site is summarised as follows:
- 4.2 03/04614/PLUD – Two storey side extension including modified rear elevation involving removal of single storey rear element and replacement with ground floor wall, windows and door no closer than two metres to the indicated boundary was granted a Lawful Development Certificate on 18 March 2004.
- 4.3 04/01663/FULL6 – Retention of part one/part two storey side extension was approved on 15 July 2004.
- 4.4 04/02255/PLUD – Single storey rear (infill) extension was granted a Lawful Development Certificate on 15 July 2004.

4.5 05/01676/FULL6 – Part one/two storey front extension and alterations to roof at front to provide first floor addition and gable feature was refused on 10 August 2005 for the following reason:

1. The proposal by reason of its excessive size and height would cause overshadowing and loss of light to and prospect from No. 16 Towncourt Crescent, causing harm to the residential amenities which the occupants of that dwelling might reasonably expect to be able to continue to enjoy, thereby contrary to Policies H.3 and E.1 of the adopted Unitary Development Plan and Policies H8 and BE1 of the second deposit draft Unitary Development Plan (September 2002).

In the corresponding appeal the Inspector noted that the existing dwelling No. 150 is close to the boundary with No. 16 Towncourt Crescent and it overshadows and visually dominates its rear elevation and the area of the garden close to it. However, the Inspector considered that the proposed additions; to the south eastern side of No. 150 and with hipped roofs, would be obscured by existing parts of No. 150 and where it would be visible from parts of No. 16's garden it would not appear so bulky as to intrude unduly into such views. In relation to overshadowing, the Inspector noted the difference between "light from the sky" and "sun lighting" and considered the effects would be relatively minor and only occasional at certain times of day and certain times of year and would not be not much worse than the existing building [No. 150]. Overall, there was no materially adverse effect on No. 16, a neutral impact on the ARSC the appeal was allowed, and it has been constructed.

4.6 08/03406/PLUD – Single storey side extension was granted a Lawful Development Certificate on 20 March 2009.

4.7 20/04607/FULL6 – Demolition of existing conservatory and replacement with a two storey front/side extension and single storey side/rear extension and elevational alterations was resolved to be refused by the Planning Committee on 08.04.2021 however the Applicant has since lodged an appeal against non-determination within the application timescale and the appeal is pending decision with the Planning Inspectorate.

## **5. CONSULTATION SUMMARY**

### **A) Statutory**

n/a

### **B) Local Groups**

n/a

### **C) Adjoining Occupiers**

#### 5.1 General

- Floor plan layout is inconsistent with previous drawings (applications 04/01663/FULL6 and 05/01676/FULL6),

- Could allow subdivision into two separate dwellings (mentioned in appeal decision APP/G5180/A/05/1192428) and this should be prevented,

## 5.2 Design

- Too close to boundary with No. 16 Towncourt Crescent; would not provide required 1m minimum side space; with a cramped appearance out of keeping with the open street scene and ASRC causing overdevelopment of the plot,
- Would project forward of the building line of Towncourt Crescent and introduce a gable end; inconsistent, out of keeping and enclosing the open feel of the Towncourt Crescent street scene and ASRC,

## 5.3 Neighbouring amenities

- Combined with previous extensions it would be overbearing, harming the outlook and causing overshadowing to properties including Nos. 7 and 16 Towncourt Crescent (as observed in appeal decisions),
- Size, scale and proximity to the boundary would obscure outlook and views from neighbouring properties,

## 6. POLICIES AND GUIDANCE

### 6.1 National Policy Framework 2019

### 6.2 NPPG

### 6.3 The London Plan 2021 D4 Delivering Good Design

### 6.4 Bromley Local Plan 2019 6 Residential Extensions 8 Side Space 30 Parking 37 General Design of Development 73 Development and Trees

### 6.5 Bromley Supplementary Guidance SPG1 – General Design Principles SPG2 – Residential Design Guidance

## 7. ASSESSMENT

### 7.1 Procedural matters

- 7.1.1 Notwithstanding representations received, the current application shall be assessed on the basis of the submitted details and on its own merits and cannot take account of any speculative future proposals/suggestions such as any suggested subdivision of the property; and any such application would be assessed on its merits at that time. Matters relating to the structural condition of buildings including neighbouring properties are not a planning matter although they may relate to the Building Regulations and/or the Party Wall Act and the Applicant can be reminded of this by informative if planning permission is granted.

## **7.2 Design and landscaping – Acceptable**

- 7.2.1 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.
- 7.2.2 London Plan and BLP policies further reinforce the principles of the NPPF setting out a clear rationale for high quality design.
- 7.2.3 Policies 6, 37 and 73 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 including trees and landscaping that contribute towards the character and appearance of the area.
- 7.2.4 As mentioned, the current proposal generally reflects the previous scheme 20/04607/FULL6, omitting a previously proposed single storey projection close to the northern elevation with No. 16 Towncourt Crescent. The proposal would retain the overall form and proportions of the existing building; effectively elongating or extruding its current form and shape towards Towncourt Crescent, bringing the western side elevation parallel with the Towncourt Crescent frontage. Although the building has been enlarged before the cumulative effect with the current proposal would not be excessive and would not lead to an overdevelopment of the plot in relation to the remaining undeveloped land within it. As mentioned, the dwelling lies closest to the northern boundary however the proposed the two-storey extension would continue the line of the existing two storey rear/north elevation and would not project closer to the northern boundary with No. 16. As such it would not and would not encroach upon or significantly diminish the sense of space between No. 150 and No. 16 and would not result in a cramped appearance or a terracing effect between the dwellings that might otherwise have a harmful effect on the character and appearance and spatial standards of the street scene in this part of the local area and the ASRC. The proposed design would complement the mock Tudor style and design of the existing property and the external materials could be managed by planning condition if planning permission is granted. The proposal would not lead to the direct loss of trees or other vegetation that is significantly important to the site or its setting within this part of the street and wider area.

## **7.3 Neighbouring amenity – Acceptable**

- 7.3.1 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.

- 7.3.2 As mentioned in the 05/01676/FULL6 appeal decision, previous appeal Inspectors observed that the relationship between No. 150 and No. 16 will have had an impact on the outlook and sunlight/daylight to No. 16. However, in assessing the 05/01676/FULL6 appeal (at the south-eastern corner of the building) the Inspector noted that that proposed extension would effectively be screened from No. 16 by other existing parts of No. 150 and “would not be obvious either from the rear elevation of 16 Towncourt Crescent or from the first 14m or so of its rear garden” and although it would be apparent from other parts of No.16’s garden it would not appear so bulky as to intrude unduly into views from those locations. Similarly, the Inspector did not consider that the additional effect of overshadowing caused by the proposed extension at various times of the year would be much worse than that of the existing building.
- 7.3.3 The existing dwelling lies close to the northern boundary with the nearest neighbouring dwelling No. 16 Towncourt Crescent however it currently lies alongside the south side flank elevation of No. 16 and extends rearwards parallel with the rear garden of No. 16. No. 150 is therefore visible at an oblique angle from the rear elevation of No. 16. However, the currently proposed two storey extension would be positioned wholly alongside the southern elevation of No. 16 and would not project forward or rearward of it. It would be visible from the upper window in the south side flank of No. 16, which appears to serve the non-habitable stairwell, and as concluded in the 05/01676/FULL6 appeal decision it would otherwise be obscured from view from the other windows at No. 16 by existing parts of No. 150 and No. 16. On this basis, and taking into account that No. 150 lies due south of No. 16 and the consequent path of the sun at various times of the year, the proposal extension would not have a significantly harmful additional impact on the outlook or the natural daylight/sunlight to No. 16 than that of the existing building.
- 7.3.4 The main outlook from the proposed extension would continue to be to the south and west of No. 150 where any additional overlooking would be no more harmful than that which already exists. Ground floor north facing windows would look towards the garage of No. 16 where they would not have a harmful effect on privacy and the upper floor north facing windows would serve a non-habitable circulation space where they could be obscure glazed and with restricted opening as shown in the submitted drawings in order to preserve neighbouring privacy amenities without an unsatisfactory living environment for the occupants of the development.

## **7.4 Highways – Acceptable**

- 7.4.1 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.

- 7.4.2 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.
- 7.4.3 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 BLP should be used as a basis for assessment.
- 7.4.4 The proposal would result in a 5-bedroom dwelling; requiring at least 2 parking spaces in accordance with the Council's Parking Standard (for a property of 4-bedrooms or more). The proposal would not have an impact on the parking arrangements at the property which would appear to remain capable of accommodating at least 2 vehicles in accordance with the Parking Standard.

## **8. CONCLUSION**

- 8.1 Having had regard to the above it is considered that the development in the manner proposed would not impact detrimentally on the character of the area including the Petts Wood ASRC, it would not have a significantly harmful impact on the amenities of neighbouring residents and would not have harmful highway impacts.
- 8.2 For these reasons it is recommended that planning permission is granted.

### **RECOMMENDATION: PERMISSION BE GRANTED**

Subject to the recommended conditions:

**Standard Time Limit**  
**Standard Compliance with Plans**  
**Matching Materials**  
**Side Space**  
**Obscure glazing/restricted opening windows**

Informatives

**Party Wall Act**  
**Side Space**

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