

Committee Date	6 th January 2022	
Address	10 Derwent Drive Petts Wood Orpington BR5 1EW	
Application Number	21/03566/FULL6	Officer - Suzanne Lyon
Ward	Petts Wood and Knoll	
Proposal	Proposed ground floor front, side and rear extension, garage conversion, facade alterations and paved driveway	
Applicant	Mr Basant Mertia	Agent
		Mr Alberto Ochoa
10 Derwent Drive Petts Wood Orpington BR5 1EW		Resi International House Canterbury Crescent Brixton London SW9 7QD
Reason for referral to committee		Councillor call in
	Call - in	Yes

RECOMMENDATION	Resolve not to contest the appeal
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KEY DESIGNATIONS

- **Biggin Hill Safeguarding Area**
- **London City Airport Safeguarding**
- **Smoke Control SCA 8**

Vehicle parking	Existing number of spaces	Total proposed including spaces retained	Difference in spaces (+ or -)
Standard car spaces	2	2	0

Representation summary	Neighbour letters were sent 14.09.2021
Total number of responses	3
Number in support	2
Number of objections	1

1 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- The development would not result in a harmful impact on the character and appearance of the area.
- The development would not adversely affect the amenities of neighbouring residential properties.
- The site would provide adequate parking spaces and not impact detrimentally upon highway safety.
- The development has fully addressed the previous reasons for refusal.
- Members are requested to resolve not to contest the appeal.

2 LOCATION

- 2.1 The application site is a semi-detached bungalow located on the northern side of Derwent Drive.
- 2.2 A public footpath borders the site along the eastern flank and rear boundaries. Crofton Infant School is located to the rear of the site.



Figure 1: Site Location Plan

3 PROPOSAL

- 3.1 Permission is sought for a single storey side/rear extension, located behind the existing garage. It will project 1.8m beyond the rear of the existing garage and will be 2.35m wide. It will then reduce to 1.86m wide and project an additional 8.3m to the rear, to match the depth of the existing conservatory.
- 3.2 The proposal also includes the conversion of the existing garage to a habitable room, involving the removal of the garage doors and replacement with brickwork and a window.
- 3.3 A replacement front porch is also proposed, which will project 1.9m forward and will be 2.8m wide.
- 3.4 An appeal for non-determination has been lodged on the 25.11.2021 under ref. APP/G5180/W/21/3287713. It is therefore necessary to consider whether the Council will contest the appeal or not.

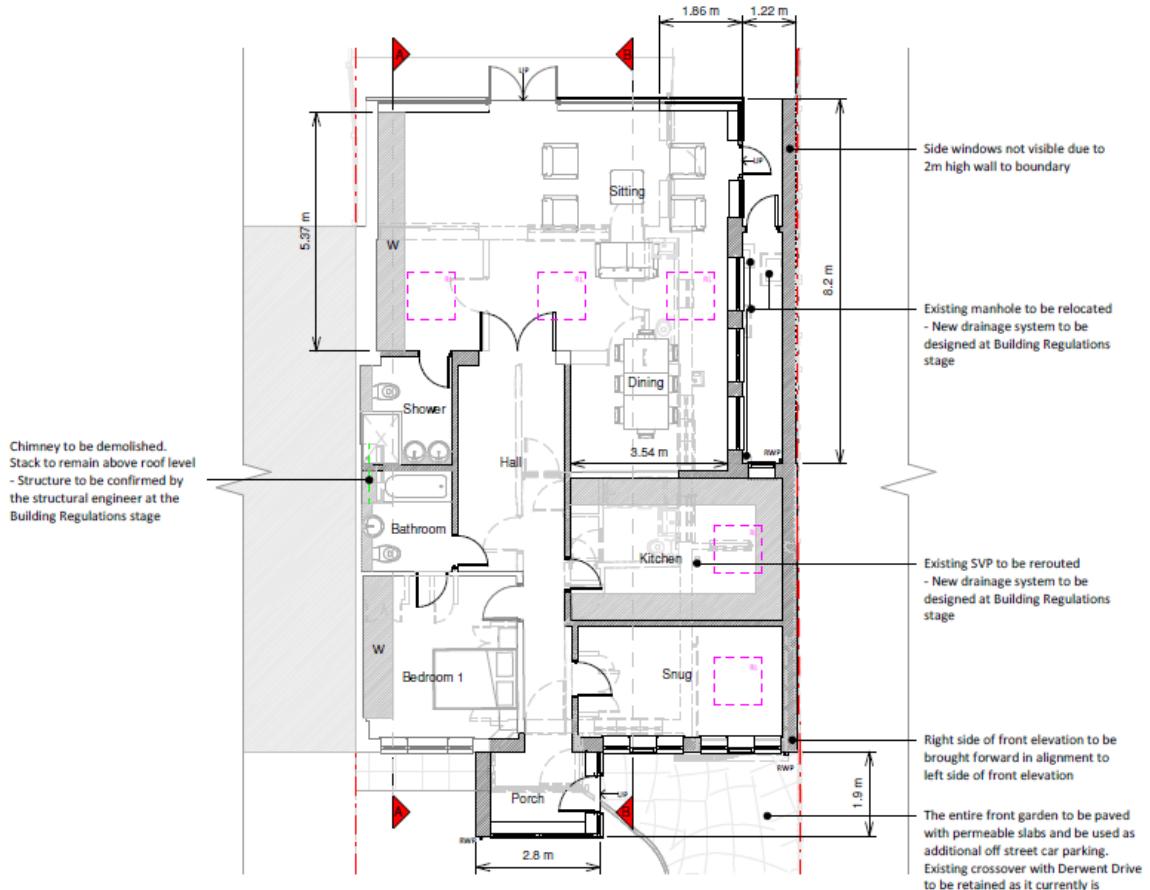


Figure 2: Proposed Ground Floor Plan

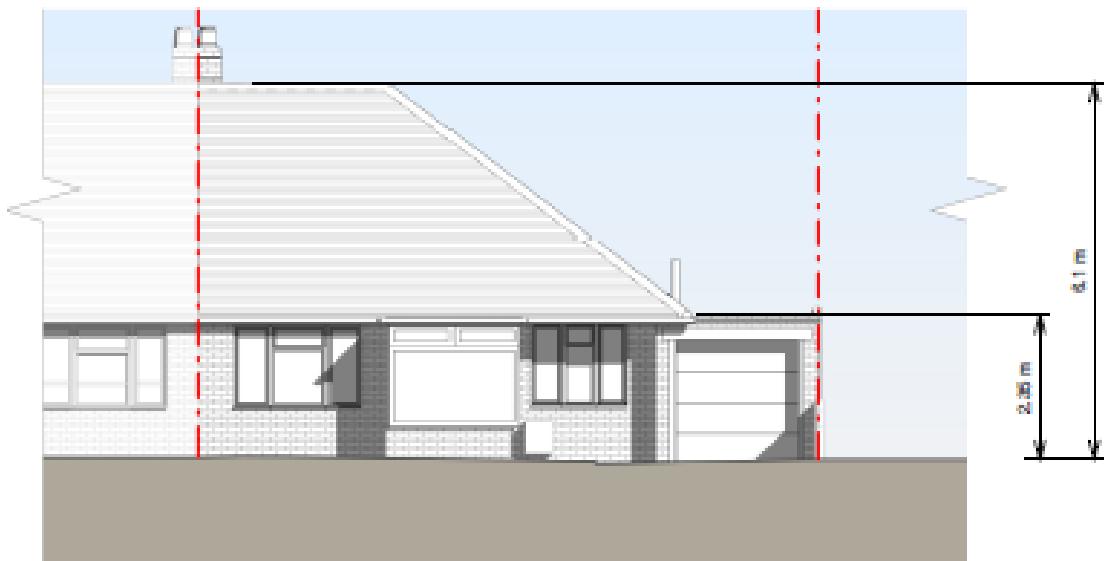


Figure 3: Proposed Front Elevation



Figure 4: Proposed Side (Right) Elevation

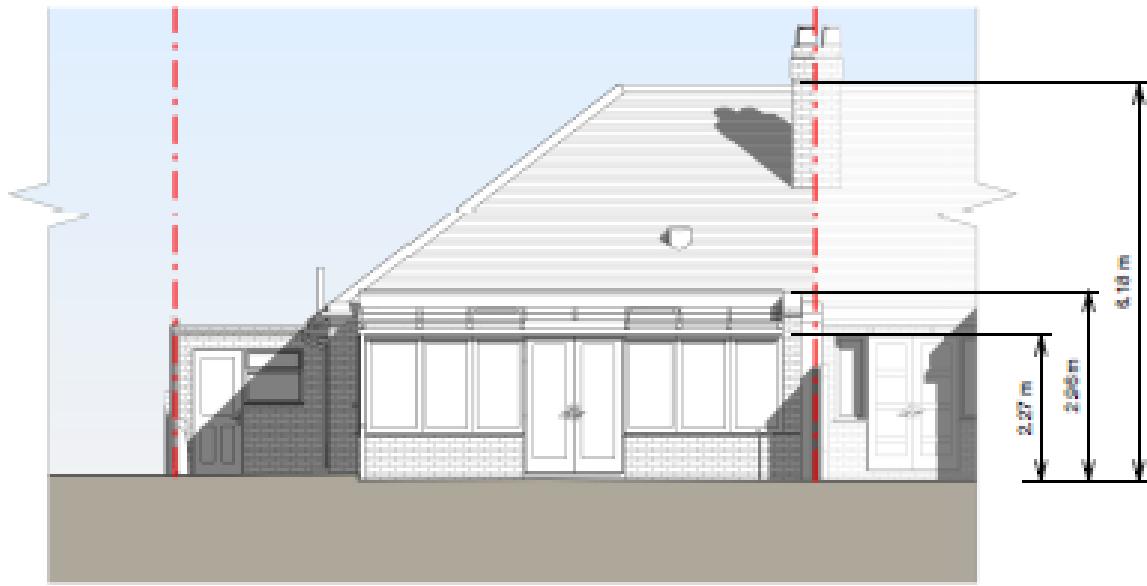


Figure 5: Proposed Rear Elevation

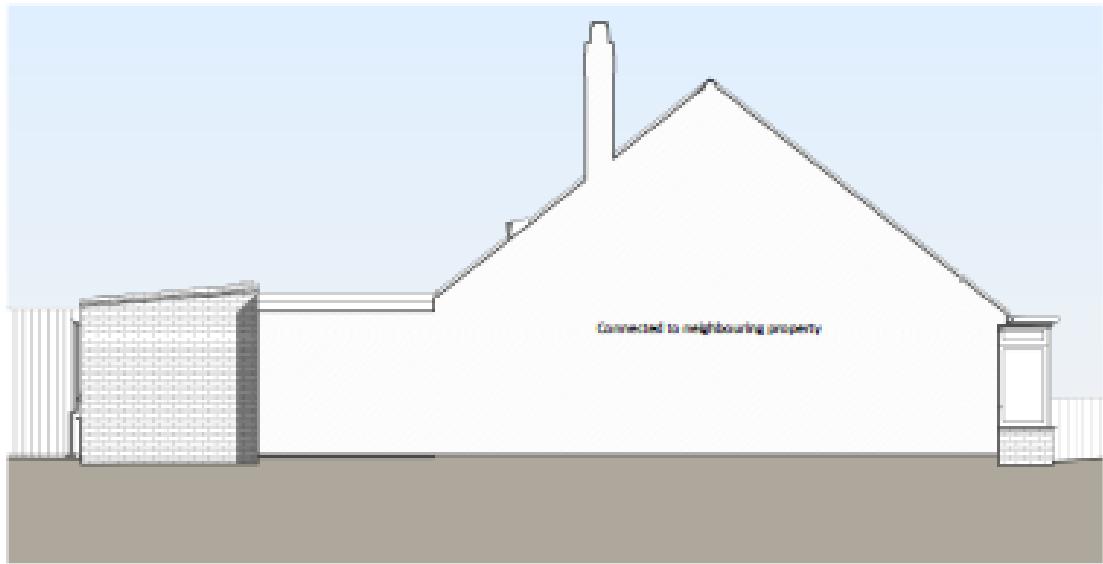


Figure 6: Proposed Side (Left) Elevation

4 RELEVANT PLANNING HISTORY

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

- 86/02504/FUL - Single storey side and rear extensions - Permitted 23.10.1986
- 02/00148/FULL1 - Single storey rear extension for conservatory - Permitted 06.03.2002
- 02/01698/FULL1 - Side and rear boundary fence RETROSPECTIVE APPLICATION - Permitted 03.07.2002
- 18/05592/FULL6 - Single storey side extensions incorporating garage conversion, enlargement of existing porch entrance, and enlargement of roof space incorporating extension to rear roof to provide first floor accommodation with rooflights to front and side and Juliet balcony to rear. - Refused 13.06.2019
(APPEAL DISMISSED - Ref: APP/G5180/D/19/3233737)
- 19/00185/PLUD - Loft conversion and roof alterations incorporating hip to gable end and 2 front rooflights PROPOSED LAWFUL DEVELOPMENT CERTIFICATE - Proposed Development Is Not Lawful 03.05.2019
- 19/04604/PLUD - Hip to gable loft conversion with rooflights to front LAWFUL DEVELOPMENT CERTIFICATE (PROPOSED) - Proposed Development Is Lawful 18.12.2019
- 20/00693/FULL6 - Single storey side/rear extensions, conversion of garage to habitable room, enlargement of existing porch entrance, and enlargement of roofspace incorporating hip to gable extension, rear dormer and front roof lights - Refused 27.08.2020
(APPEAL DISMISSED - APP/G5180/D/20/3263465)
- 20/01841/PLUD - Conversion of roof space with hip to gable, rear dormer and front rooflights (Proposed lawful development certificate) - Proposed Development Is Lawful 21.07.2020
- 21/03719/HHPA - Single storey rear extension, extending beyond the rear wall of the original house by 6.00m, for which the maximum height would be 3.50m, and for which the height of the eaves would be 2.42m (42 Day Notification for Householder Permitted Development Prior Approval) – Refused
- 21/03564/PLUD - Proposed hip to gable loft conversion with rear dormers and front and rear rooflights LAWFUL DEVELOPMENT CERTIFICATE (PROPOSED) – Pending Decision

5 CONSULTATION SUMMARY

A) Statutory

B) Local Groups

- N/A

C) Adjoining Occupiers (summary)

Objections

- Multiple applications
 - This is one of three applications that the applicant has submitted that are currently being considered by the Council (other LBB refs DC/21/03564/PLUD and DC/21/03719/HHPA), and are not shown on the current plans.
 - This makes a total of eight applications that have been submitted in three years and two appeals that were dismissed
 - The three current applications would cumulatively add significant volume to the property overall, but do not correspond with each other, such that it would not be possible to construct them together in accordance with the details of the approved plans.
- Hardstanding and additional parking. **points addressed in paragraphs 7.2 and 7.3**
 - Unacceptable to pave the entire front garden with slabs, causing loss of amenity to neighbouring property and the area, and creating potential hazards, including for pedestrians such as school children.
 - Should revert to previous parking arrangement (20/00693/Full6)
 - Removal of spoil is an engineering operation requiring planning permission but no details have been provided.
 - Increased risk of water run off and flooding causing nuisance, disturbance and loss of amenity
 - No details are provided of the appearance of the proposed frontage, its gradient and profile, permeability of the proposed slabs, or additional drainage
 - Loss of amenity to adjoining bungalow due to noise, disturbance and fumes from vehicle movements
 - Hazardous vehicle movements and loss of dedicated street side parking area
 - Installing slabs over the entire front garden for additional off street parking while losing the existing garage is unnecessary and would be seriously harmful to the character and appearance of the street scene
- Porch is out of character **points addressed in paragraph 7.2**
 - The impact of this porch would be improved in the street scene if it were to be glazed in similar fashion to all the other bungalows on this part of Derwent Drive that have front porches, thus avoiding a solid flank wall.
 - The other bungalows project around half the distance from the front of those bungalows relative to the current porch proposed at no 10.

Support

- Despite the dismissed appeal, the Planning Inspector commented favourably for the development that is now proposed in this application.
- We are a community in Petts Wood and Orpington, and we are all together with the applicant on this matter.

Please note the above is a summary of the material planning considerations and the 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 Bromley Local Plan (Jan 2019) and the London Plan (March 2021). The NPPF does not change the legal status of the development plan.
- 6.4 The application falls to be determined in accordance with the following policies:

The London Plan

- D1 London's form and characteristics
- D4 Delivering good design
- D5 Inclusive design
- T6 Car parking

Bromley Local Plan 2019

- 6 Residential Extensions
- 30 Parking
- 32 Road Safety
- 37 General Design of Development

Bromley Supplementary Guidance

Supplementary Planning Guidance 1 - General Design Principles
Supplementary Planning Guidance 2 - Residential Design Guidance

7 ASSESSMENT

7.1 Resubmission

- 7.1.1 The site has been subject to a number of recent applications, as set out in the Planning History section above.
- 7.1.2 The most relevant application to note is the refusal under planning ref. 20/00693/FULL6, for a "Single storey side/rear extensions, conversion of garage to habitable room, enlargement of existing porch entrance, and enlargement of roofspace incorporating hip to gable extension, rear dormer and front roof lights". The reason for refusal was as follows:
1. The proposed development, by reason of its overall scale and form, would unbalance the pair of semi-detached bungalows and would appear out of keeping with that of other dwellings in the vicinity, resulting in harm to the character and appearance of the host dwelling and its surroundings and a loss of residential amenity to the occupiers of No. 8; thereby contrary to Policy 7.4 of the London Plan, Policy 37 of the Bromley Local Plan and the Bromley Supplementary Planning Guidance 1 General Design Principles and Bromley Supplementary Planning Guidance 2 Residential Design Guidance.
- 7.1.3 The subsequent appeal (APP/G5180/D/20/3263465) was dismissed.
- 7.1.4 The current application seeks permission for a single storey side/rear extension, conversion of the garage and a replacement porch. The proposal will match the ground floor extensions proposed under the previous application, 20/00693/FULL6, however the loft extension has been removed from the proposal.

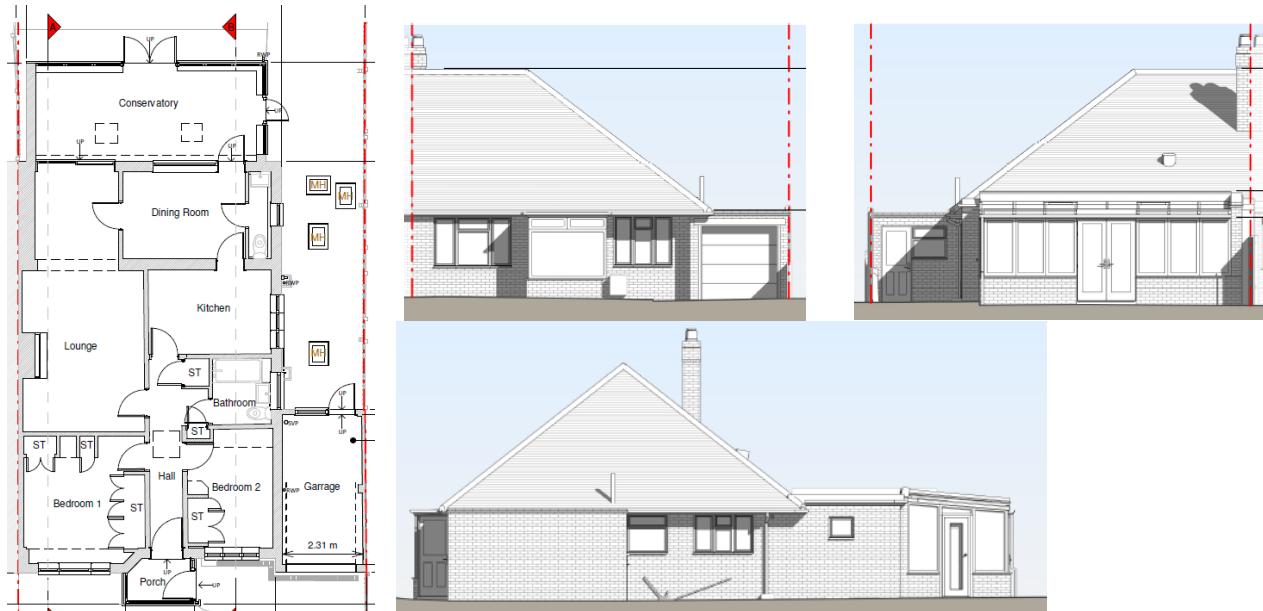


Figure 7: Existing Plans



Figure 8: Previous Proposed Plans (20/00693/FULL6) – Dismissed on Appeal

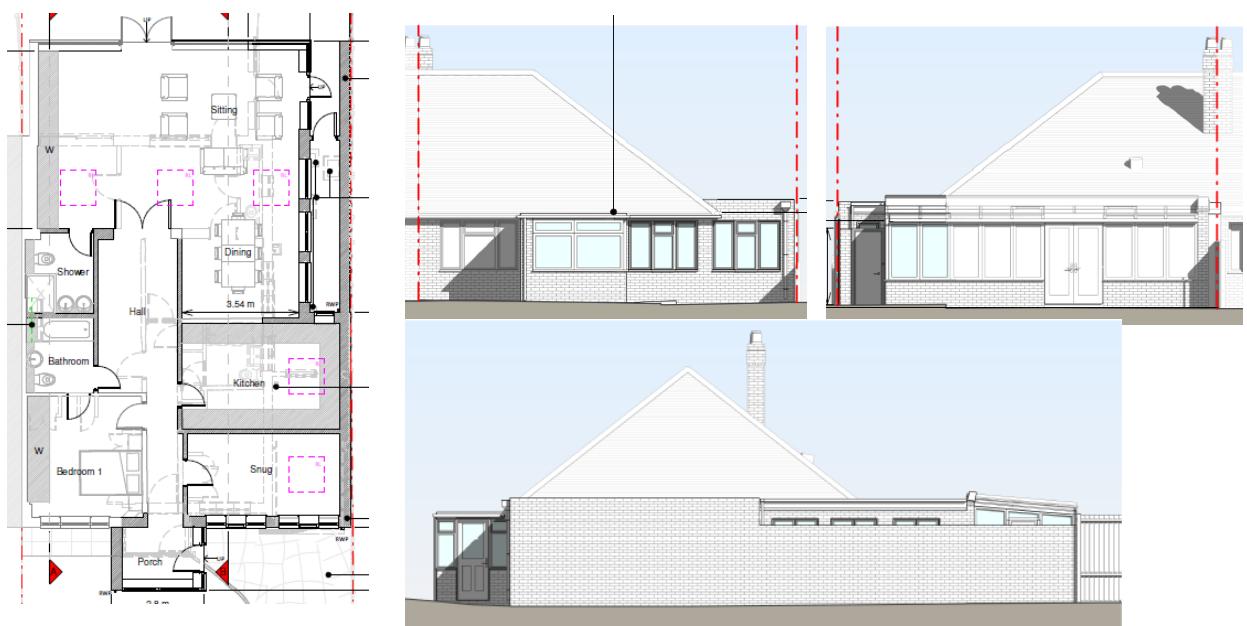


Figure 9: Current Proposed Plans

7.2 Design – Layout, scale – Acceptable

- 7.2.1 The proposed single storey side/rear extension will be located behind the existing garage. It will project 1.8m beyond the rear of the existing garage and will be 2.35m wide. It will then reduce to 1.86m wide and project an additional 8.2m to the rear, to match the depth of the existing conservatory. It is noted that a public footpath runs along the eastern flank boundary which is approximately 3.3m wide. The proposal includes a 2m high boundary wall which will be 8.2 deep to replace the existing boundary fence. On balance the size and design of the proposed extension is considered to be in-keeping with the host property, with the materials indicated to match the existing property. As such, it is not considered to result in a detrimental impact on the character or appearance of the host property or the street scene in general.
- 7.2.2 The proposed conversion of the existing garage to a habitable room includes the removal of the garage doors and replacement with brickwork and a window. The proposal will incorporate enlarging the hardstanding to provide additional off street parking within the curtilage. It is noted that none of the surrounding bungalows have converted the garage to a habitable room, however it is considered that the garage conversion and enlarged hardstanding will not impact significantly on the character or appearance of the property or the street scene in general.
- 7.2.3 The proposal also includes a replacement front porch. It is noted that the existing property benefits from a front porch that projects 1m forward and is 2.3m wide. The proposed porch will project an additional 0.9m forward, a total forward projection of 1.9m, and will be 2.8m wide. It will have a flat roof that is 2.5m high. It is set back approximately 6.8m from the front boundary line.
- 7.2.4 This is identical to the porch considered under the previous application ref: 20/00693/FULL6 (Appeal ref. APP/G5180/D/20/3263465), whilst the appeal was dismissed the Inspector raised no objection to the garage conversion, side/rear extension or porch extension. The Appeal Inspector stated in paragraph 7 that "whilst the proposed porch would noticeably enlarge the existing, it would remain to be set well back from the highway. Given its low level form and setting against the backdrop of the existing building, together with the use of matching materials, I am satisfied that, in isolation, the porch enlargement would not significantly alter the appearance of the dwelling in the street scene. Neither would the proposed conversion of the garage, or the single-storey extension to the rear which would be reasonably well screened from sight by the site's boundary enclosure". Overall, the size and design is considered acceptable, with materials indicated to match the existing property.
- 7.2.5 Having regard to the form, scale, siting and proposed materials it is considered that the proposed extensions would complement the host property and would not appear out of character with surrounding development or the area generally.

7.3 Residential Amenity – Acceptable

- 7.3.1 It is noted that the adjoining property, No.12, has been subject to a single storey rear extension that is approximately 2.8m deep and steps out to 4.3m deep. The application site also benefits from a 2.8m deep single storey rear extension, with additional 2.9m deep conservatory extension. The proposed single storey side/rear extension will match the depth of the existing conservatory therefore this element will not be visible from the adjoining property. As such is not considered to adversely impact on the amenities of No.12 over and above that already existing.
- 7.3.2 With regards to the neighbouring property to the east, No.8, a public footpath runs along the eastern flank boundary which is approximately 3.3m wide. Given the separation between properties, the proposed side/rear extension is not considered to adversely impact on the amenities of this neighbouring property with regards to loss of light, outlook or privacy.
- 7.3.3 With regards to the proposed porch, due to the modest scale and separation to neighbouring properties, it is not considered to lead to any undue loss of amenity to either neighbouring property with regards to loss of light, outlook or privacy. The proposal includes enlarging the hardstanding to provide additional off street parking. The existing dropped kerb will remain unchanged. The proposal is not considered to result in a significant increase in noise or disturbance, nor result in a detrimental impact on visual amenities, to warrant refusal on this basis.
- 7.3.4 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.

7.4 Highways – Acceptable

- 7.4.1 The area has a PTAL level of 1b (on a scale of 0 - 6b, where 6b is the most accessible). The proposal results in the loss of the garage by way of the conversion to form a habitable room. The proposal seeks to enlarge the existing hardstanding to provide at least two off street parking spaces within the front curtilage of the site. As such, no objection was raised from a highways perspective.

8 CONCLUSION

- 8.1 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.
- 8.2 Given the Inspector did not raise an objection to the ground floor extensions, Members are requested to resolve not to contest the appeal.

8.3 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 of 3 years**
- 2. Standard compliance with approved plans**
- 3. Matching materials**
- 4. Car parking details to be implemented**

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