

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

Application No : 17/00545/FULL6

Ward:
West Wickham

Address : 20 Ravenswood Avenue West Wickham
BR4 0PW

OS Grid Ref: E: 538162 N: 166262

Applicant : Mr Ali Kaplankiran

Objections : YES

Description of Development:

Single storey detached outbuilding incidental to main dwelling. (Retrospective Application)

Key designations:

Biggin Hill Safeguarding Area
London City Airport Safeguarding
Smoke Control SCA 51

Proposal

The application seeks retrospective planning permission for a single storey outbuilding to the rear of the host property. The proposed outbuilding will have a depth of 7.35, a width of 6.7m an overall height of 4.15m and an eaves height of 2.65m. It would also include a patio with a canopy cover to the front that would have a depth of 2.6m and width of 5.2m. It is proposed to be used ancillary to the main house, partially for storage and partially as a summerhouse.

Location

The application site hosts a semi-detached property sited on the western side of Ravenswood Avenue. The site is not located within a Conservation Area, nor is it Listed. The rear of the site is subject to a tree preservation order.

Consultations

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

- o Substantial and imposing bungalow.
- o Installation of toilet and sink, and connection to services and drainage seems excessive for building for the use proposed.
- o Has the facilities to allow use as a habitable dwelling.
- o Over-intensive use of the site.
- o Loss of privacy.
- o If permission granted, must be on the basis its incidental to the main house and only used by people who live there (i.e. not a separate self-contained dwelling).
- o Unsightly and visually intrusive location.
- o In a tree preservation area.
- o Permission would lead to further similar constructions.
- o No access to the side of main dwelling prevents emergency access to proposed building.
- o Local knowledge of badgers and may be a sett at the end of the garden which could have been disturbed.
- o Objection over removal of trees which are understood to be under a tree protection order.

- o Loss of trees alters significantly view from Braemar Gardens - some trees should be planted to screen the building and restore views.
- o Building exceeds maximum size stipulated on the governments Planning Portal.
- o Concerns over potential noise.

Tree Officers raised no objection, however did recommend a condition to ensure that a tree is planted to replace the tree which has been removed to accommodate the construction of the building.

Planning Considerations

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

National Planning Policy Framework (NPPF) (2012):

The NPPF confirms that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise.

London Plan:

Policy 7.4 Local character
Policy 7.6 Architecture

Unitary Development Plan:

BE1 Design of New Development
H8 Residential Extensions
NE5 Protected Species
NE7 Development and Trees

SPG1 General Design Guidance
SPG2 Residential Design Guidance

Draft Local Plan

The Council is preparing a Local Plan and commenced a period of consultation on its proposed submission draft of the Local Plan on November 14th 2016 which closed on December 31st 2016 (under The Town and Country Planning (Local Planning) (England) Regulations 2012 as amended). It is anticipated that the submission of the draft Local Plan to the Secretary of State will be in mid 2017.

Draft Policy 6 Residential Extensions
Draft Policy 37 General Design of Development
Draft Policy 72 Protected Species
Draft Policy 73 Development and Trees

Planning History

The application has the following planning history;

- o 07/02487/FULL6 - Single storey side extension - Permitted 29.08.2007.

Conclusions

The main issues relating to the application are the effect that it would have on the character of the area and the impact that it would have on the amenities of the occupants of surrounding residential properties.

Design

London Plan Policy 7.4 requires developments to have regard to the form, function, and structure of an area. Policy BE1 states that all development proposals, including extensions to existing buildings, will be expected to be of a high standard of design and layout. Policy H8 states that the design and layout of proposals for the alteration or enlargement of residential properties will be required to (i) the scale, form and materials of construction should respect or complement those of the host dwelling and be compatible with development in the surrounding area and (ii) space or gaps between buildings should be respected or maintained where these contribute to the character of the area.

The proposed outbuilding would have a depth of 7.35m and a width of 6.7m. It would also include a patio with a canopy cover to the front that would have a depth of 2.6m and width of 5.2m. The building would have a pitched roof with a maximum height of 4.15m and an eaves height of 2.65m. It is proposed to be used ancillary to the main house, partially for storage and partially as a summerhouse. From visiting the site, it is noted that the works on the outbuilding appear to be substantially complete.

The southern flank boundary benefits from established vegetation, whilst the rear boundary has some vegetation and a higher fence which would mitigate the visual impact of the outbuilding. The neighbouring property at No.18 has a smaller outbuilding adjacent to the boundary which would also provide some mitigation.

It is noted that the footprint of the building would be considered acceptable within permitted development guidelines however the roof would exceed that allowed given the proximity of the outbuilding to the boundary. The increased height of the roof above that allowed under permitted development is not considered to result in significant harm given the extent of the existing screening and the distance from the main dwellings of neighbouring properties.

The outbuilding would not be visible from the streetscene, and it is therefore considered on balance that given the existing screening and distance from the adjacent dwellings, any harm caused to the character and visual amenities of the area would not be so significant as to warrant a refusal of the application on these grounds.

Concerns have been raised in relation to the possibility of the outbuilding being severed and used as a separate dwelling. Whilst it is indicated that it would be used ancillary to the main dwelling, the outbuilding features a sink, toilet and two storage rooms which could potentially be used as bedrooms. However, it would not feature a full kitchen or bathroom and could not be accessed without entering through the host dwelling. Whilst these concerns are noted, it is therefore not considered that the outbuilding could easily be severed and used as a separate dwelling. A condition is recommended to ensure that the outbuilding is used incidental to the main dwelling and for no other purpose.

Residential Amenity

Policy BE1 (v) states that the development should respect the amenity of occupiers of neighbouring building and those of future occupants and ensure their environments are not harmed by noise and disturbance or by inadequate daylight, sunlight or privacy or by overshadowing. This is supported within Policy 7.6 of the London Plan.

The site benefits from a large garden, with the outbuilding sited to its rear, approximately 43m from the rear of the host dwelling. It would be set 1m and 1.1m from the flank boundaries, with a distance of 1.3m to the rear boundary with properties facing Braemar Gardens. Whilst the outbuilding is large in both its height and footprint, it would be sited a

sufficient distance away from neighbouring properties so as to prevent any direct loss of light or outlook. Furthermore, it would be an adequate distance away from the rear windows of neighbouring properties to restrict any loss of privacy, and the raised patio would not significantly increase opportunities for overlooking given its modest height.

Trees

It is noted that it appears one tree has been removed from the rear boundary of the site to accommodate the construction of the outbuilding. Whilst this is a TPO area, this appears to have been a tree which was a replacement for a previous tree to the rear of the site which was removed following application ref: 01/00558/TPO. As such, it appears no breach of the TPO has occurred given that replacement trees are not offered continued protection. However, the Tree Officer has recommended a condition to ensure that a replacement tree of a standard size should be planted in the rear garden. This would also ensure further mitigation and screening of the outbuilding.

Protected Species

Neighbour concerns have also been raised over the possibility of badger setts being disturbed at the end of the garden. Given the works carried out and the high fence to the rear of the garden it is considered that there is no evidence of a sett of badger activity. An informative is suggested to ensure the applicant is aware that the disturbance of a badger sett is a legal offence.

Summary

Having had regard to the above it was 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 file ref: 16/05756/FULL6 set out in the Planning History section above, excluding exempt information.

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- 1 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 BE1 of the Unitary Development Plan and in the interest of the visual and residential amenities of the area.

- 2 The single storey detached building hereby permitted shall only be used for purposes incidental to the residential use of the main house 20 Ravenswood Avenue, West Wickham and for no other purpose.**

Reason: In order to comply with Policies BE1 of the Unitary Development Plan and in the interests of the residential amenities of the area.

You are further informed that:

- 1** There may be badgers within the vicinity of the proposed development, and therefore a licence may be required, and the provisions thereof complied with under the Protection of Badgers Act 1992.

You should be aware that it is an offence to kill or injure a badger, or interfere with a badger sett by doing any of the following things;

- (a) damaging a badger sett or any part of it;**
- (b) destroying a badger sett;**
- (c) obstructing access to, or any entrance of, a badger sett;**
- (d) causing a dog to enter a badger sett; or**
- (e) disturbing a badger when it is occupying a badger sett,**

If you're found guilty of an offence you could get a fine and up to 6 months in prison.

You are advised to contact Natural England for more information if a licence is required:

**Natural England Floor 6, Ashdown House,
123 Victoria Street, London, SW1E 6DE Tel: 020 7932 2200 Fax: 020 7932
2201 Email: london@naturalengland.org.uk**

- 2** You should seek the advice of the Building Control Section at the Civic Centre regarding the need for Building Regulations approval for the works on 020 8313 4313, or e-mail: buildingcontrol@bromley.gov.uk