

**Decision Maker:** Plans 1 Sub-Committee

**Date:** 29 September 2011

**Decision Type:** Urgent Non-Executive Non-Key

**Title:** 138 LOCKESLEY DRIVE, ORPINGTON, BR5 2AE

**Contact Officer:** Mick Lane, Planning Investigation Officer  
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**Chief Officer:** Chief Planning Officer

**Ward:** Cray Valley West

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1. Reason for report

Complaints have been received concerning a number of alleged breaches of planning control at the above site including an unsightly timber hoarding along the site frontage, the raising of ground levels at the side and rear and the erection of a detached garage. The report considers what further action should be taken.

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2. **RECOMMENDATION(S)**

Enforcement action be authorised to remove the timber hoarding and gates.

### Corporate Policy

1. Policy Status: N/A.
  2. BBB Priority: N/A.
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### Financial

1. Cost of proposal: No cost
  2. Ongoing costs: Non-recurring cost.
  3. Budget head/performance centre:
  4. Total current budget for this head: £
  5. Source of funding:
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### Staff

1. Number of staff (current and additional):
  2. If from existing staff resources, number of staff hours:
- 

### Legal

1. Legal Requirement: Non-statutory - Government guidance.
  2. Call-in: Call-in is not applicable.
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### Customer Impact

1. Estimated number of users/beneficiaries (current and projected):
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### Ward Councillor Views

1. Have Ward Councillors been asked for comments? Yes.
2. Summary of Ward Councillors comments:

### 3. COMMENTARY

- 3.1 The site is a semi-detached dwelling situated in a quiet residential street which slopes from west to east. The property is situated in a prominent position on a bend at the top of the hill.
- 3.2 The property has undergone extensive renovation and alterations over the past 3-4 years and the works now appear to be reaching completion. On 5 February 2007 planning permission was granted for a two storey side and single storey rear extension (ref. DC/09/03912/FULL6). This permission was later amended to include a rear dormer and detached single garage and permitted on 25 October 2007 (ref. DC/07/03049/FULL6).
- 3.3 On 2 April 2009 planning permission was granted for a single storey detached garage with a pitched roof at the side of the subject address (ref. DC/09/00488/FULL6).
- 3.4 On 10 May 2010 a non-material amendment was approved (ref. DC/08/03966/AMD) for alterations to the windows and doors to the rear elevation.
- 3.5 Adjoining residents were notified in each case but no representations were received.
- 3.6 Complaints were received in 2008 that building works were in progress and a timber hoarding had been erected around the site. A site visit confirmed that a hoarding was in place across the front of the site extending along the eastern boundary with the neighbouring property with two wooden gates in the centre. The hoarding measured 2.25M at the SW corner, 2.5M in the centre and 2.2M at the SE corner. It was erected for the duration of the building works to make the site secure.
- 3.7 Further complaints were received in April 2011 that the hoarding was still in situ and its appearance had deteriorated. It had become a target for graffiti which added to its untidy appearance. The owner was advised to remove the hoarding by May 2011 but it remains in place. The owner recently indicated that the hoarding will be removed and replaced by a 1m high timber fence by the end of October 2011. However in view of its continued presence and its visual impact on the area it is considered expedient to take action to secure its removal.
- 3.8 In April 2011 a further complaint was received alleging an increase in ground levels along the side/rear boundaries of the site.
- 3.9 A site visit indicated that the original sloping ground in the rear garden had been levelled across the site. Drainage had been installed within the patio area to remove excess surface water and concrete gravel boards had been installed along the side boundary in an effort to prevent water flowing into the neighbouring garden.
- 3.10 There is insufficient information about the original ground levels but levels appear to have been raised from approx. 0.5m at the front of the site next to the garage reducing to approx 0.2m at the rear. The works are considered to involve engineering operations which require planning permission and a retrospective application was requested. No application was received but, given the relatively minor nature of the works and the limited impact on the amenities of the surrounding area, it was concluded that the changes in ground level did not warrant pursuing enforcement action.
- 3.11 Permission was granted in April 2009 for a detached garage at the side of the dwelling. The approved plan shows a detached garage with a pitched roof measuring 6mx4mx4m high. The garage appears to have been built in accordance with the approved plans although no details of ground levels were shown. The overall height of the garage is higher than the adjoining garage which is accentuated by the slope of the hill and the incorporation of a pitched roof design.

However, the garage is approx. 4m from the side boundary and there is considered to be adequate separation between the 2 properties.

3.12 The building works at the property the site appear to be complete and the property is currently being advertised for sale.

ENF/ML/11/00161