

SECTION '2' – Applications meriting special consideration

Application No : 11/02777/FULL6

Ward:
**Bromley Common And
Keston**

Address : 25 Keston Gardens Keston BR2 6BL

OS Grid Ref: E: 541430 N: 164575

Applicant : Mr And Mrs Hillman

Objections : YES

Description of Development:

Single storey rear extension

Key designations:

Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
London City Airport Safeguarding
Proposed World Heritage Site

Proposal

- Single storey rear extension measuring 4m in depth from the rear of the existing kitchen and 1.5m in depth from rear of existing dining room
- Extension would stretch the full width of the existing building
- It would incorporate a flat roof with hipped ends measuring a maximum height of 2.953m to the eaves and approximately 3.6m to the roof

Location

- The application site comprises a two storey detached dwelling with a single storey projecting garage and front porch.
- The site is located on the eastern side of Keston Gardens.
- The road is fronted by similar properties, predominantly built to a staggered building line along the road.
- The houses are characterised by alternating front-gable and gabled-end roofs.

Comments from Local Residents

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

Objections from No.24 Keston Gardens:

- abusing system and upping request from permitted to development
- overshadowed by family room and dining room
- 25 Keston Gardens is higher than neighbouring property
- proposed extension will tower over neighbouring property
- will overshadow approximately half of garden
- light and heat unable to get into garden
- loss of daylight, sunlight, warmth, outlook and sky view
- will not follow tradition building line
- loss of amenity
- would affect kitchen/breakfast room, lounge, study/bedroom as well as stairs, landing and hallway
- change general nature and layout of Keston Gardens
- will create precedence
- potential increased parking in road
- loss of enjoyment to occupiers of 24 Keston Gardens

A letter of support was received from a family member acting as the representative of the late owner of 26 Keston Gardens, which can be summarised as follows:

- Mr. Keegan was fully aware (and approved and supported) of Mr and Mrs Hillman's plans and had no objection to those plans

The applicant has responded to the representations, the response can be summarised as follows:

- no recognised rear building line in Keston Gardens
- houses are set back from street in a staggered formation with varying sizes or rear extension
- proposed extension only projects 1.5m beyond the existing extension and only 1m beyond what is allowed by permitted development
- planning application is a legitimate action in seeking to extend a property
- proposed family room extension of 4m will sit closest to the neighbouring dwelling and is permitted development
- dining room extension will be behind this part of the extension when viewed from 24 Keston Gardens and will not have a material impact on neighbouring residents or sunlight/daylight to neighbouring garden
- family room extension falls within permitted development and can therefore be constructed without the benefit of planning permission
- extension will be maximum of 5m and will be 4m adjacent to boundary with No.24
- proposed extension would leave 13.49m of the garden with no adjacent buildings
- or walls
- boundary is 2m hedge and there is therefore unlikely to be additional overshadowing
- site is not within a Conservation Area
- a number of other properties have been extended to front and rear
- rear extension will not be visible from street

- majority of No.24 Keston Gardens would be in sunlight for most of day due to its orientation therefore no impact on the enjoyment of garden
- extension is to rear only so has no impact on side space
- no limit to number of occupiers to the household provided they all form one household
- issue of party wall is not material to the consideration of the planning application.

Planning Considerations

The application falls to be determined in accordance with the following policies of the Unitary Development Plan:

BE1 Design of New Development
H8 Residential Extensions

Planning History

A single storey rear extension was granted permission in 1971 in order to extend the dining room.

Under ref. 08/00766, an application was submitted for a part one/two storey front and rear extensions, however this was subsequently withdrawn.

Under ref. 09/00966, a part two storey/part first floor front extension was refused and later dismissed at Appeal.

Under ref. 09/03185, an application for a part one/two storey rear extension was submitted but was subsequently withdrawn.

Under ref. 10/01847, a certificate of lawful development was granted for a single storey rear extension and conversion of garage to habitable room.

Under ref. 10/01849, an application was submitted for a lawful development certificate for a two storey rear extension and conversion of garage to habitable room. However, this was later withdrawn.

There is currently a planning application under consideration for a single storey front extension, under ref.11/02753.

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.

The proposed extension for the 'Family Room' would be sited adjacent to an existing dining room extension resulting in a full width extension to the rear. Given the modest height and depth of rearward projection proposed, it is considered that it would appear sympathetic to the scale and form of the host dwelling.

Furthermore, Members are reminded that a very similar extension with a 4m rearward projection was granted a lawful development certificate under ref.10/01847.

The existing dining room would be extended by 1.5m to the rear, resulting in a slightly staggered rear building line and a total depth of 5.5m rearward projection from the original rear building line of the property. In this instance Members may therefore consider that the additions proposed are not excessive and would only partially exceed what is normally considered permitted development. Furthermore, the proposal to extend across the full width of the property is considered to be in keeping with the host building and development in the surrounding area and would not impact the visual amenities of the street scene.

The extension to the dining room would be positioned approximately 1m away from the site boundary with No.26 Keston Gardens and approximately 2.6m away from this neighbouring building. Due to the staggered rear building lines of the properties in the road, the extension would project no further back than the rear of No.26 Keston Gardens. Given the modest rearward projection proposed and its proximity to the neighbouring building, it is unlikely that any significant loss of amenity to the future occupants of No.26 Keston Gardens would occur.

The proposed extension for the family room would measure 4m in depth and would be sited 1m away from the flank boundary with No.24 Keston Gardens. Due to the staggered rear building lines the extension would project approximately 5.8m beyond the rear building line of No.24. While it is acknowledged that some impact on the outlook and amenities of the occupiers of No.24 Keston Gardens is likely to occur due to the rearward projection of the extension adjacent to the boundary of the site, Members are again reminded that a very similar extension has already been deemed to be permitted development at this site. Furthermore, the extension proposed is a modest height with a predominantly flat roof. Members may therefore agree that there would be no significantly detrimental impact on the prospect or amenities of the occupiers of this dwelling to warrant the application being refused.

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 files refs. 10/01847 and 11/02753, excluding exempt information.

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- | | | |
|---|--------|--|
| 1 | ACA01 | Commencement of development within 3 yrs |
| | ACA01R | A01 Reason 3 years |
| 2 | ACC04 | Matching materials |
| | ACC04R | Reason C04 |

- 3 ACI12 Obscure glazing (1 insert) in the flank elevation of the extension
ACI12R I12 reason (1 insert) BE1 and H8
- 4 ACK01 Compliance with submitted plan

Reason: In order to comply with Policies BE1 and H8 of the Unitary Development Plan and in the interest of the appearance of the building and the residential amenities of the area.

Reasons for granting permission:

In granting permission the Local Planning Authority had regard to the following policies of the Unitary Development Plan:

- BE1 Design of New Development
H8 Residential Extensions

The development is considered to be satisfactory in relation to the following:

- (a) the appearance of the development in the street scene
- (b) the relationship of development to adjacent property
- (c) the character of the development in the surrounding area
- (d) the impact on the amenities of the occupiers of adjacent and nearby properties
- (e) the light and outlook of occupiers of adjacent and nearby properties

and having regard to all other matters raised including neighbours concerns.

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