

LONDON BOROUGH OF BROMLEY

Report No. DRR/12/011

PART 1 - PUBLIC

Title:	46 Stone Road, Bromley, BR2 9AU	
Decision Maker:	Plans Sub Committee No. 2	Decision Date: 2 nd February 2012
Decision Type:	Non-Urgent	Non-Executive Key
Budget/Policy Framework:	Within policy and budget	
Chief Officer:	CHIEF PLANNER	
Contact Officer:	Zoe Raggett Tel: 020 8313 4956 Email: zoe.raggett@bromley.gov.uk	
Ward:	Bromley Town	

1. SUMMARY

- 1.1 Planning permission was granted in 2009 under Delegated Authority under reference DC/09/02377/FULL6 but the occupier of the adjacent property has complained to the Planning Department that the property boundary as exists on site is not illustrated correctly on the approved plans. As such, a revised plan has been submitted by the applicant and it is requested that Members re-consider the planning approval.

2. RECOMMENDATION

- 2.1 No further action be taken

3. COMMENTARY

- 3.1 The application property is located on the northern side of Stone Road and the proposal constitutes a single storey side/rear extension, first floor over existing dwelling to include front and rear dormer extensions and elevational alterations including front porch.
- 3.2 The planning application was validated on the 16th September 2009 and notification letters were sent to the adjoining owners on the 23rd September 2009 with a suggested response date of 21 days after the date of the letter.
- 3.3 The proposed single storey side/rear extension would 'square-off' the original dwellinghouse at ground floor level, towards the north-western corner of the property. The width of the extension from the flank elevation measured approximately 2 metres, and the depth of the extension from the rear elevation of the original dwellinghouse measured approximately 1 metre. A front porch extension was also proposed, which projects approximately 1.25 metres forwards of the front elevation of the host dwellinghouse, and 2.35 metres in width overall. This element has a pitched roof which is of similar appearance to the pitched roofs of the front dormer extensions.
- 3.4 The second element of the proposed scheme of extensions was a first floor extension over the existing dwellinghouse to include front and rear dormer extensions. The eaves height of the original dwellinghouse was maintained, however the height of the roof was increased to allow for habitable accommodation in the roof space over the main part of the dwellinghouse. In addition a first floor was created towards the west of the dwellinghouse rather than roofspace accommodation.

- 3.5 The Local Planning Authority has a target date of 8 weeks to determine an application after the date of validation, and the target date for the determination of this application was the 11th November 2009. However planning applications may be determined once the neighbour notification period (21 days) has expired.
- 3.6 It is stated within initial correspondence sent out to adjoining owners relating to planning applications that should no comments be received within the 21 day timeframe, it will be assumed that no objections or comments will in fact be made, at which point a decision can be made. In addition, the initial letter notifying adjoining owners of applications also stated that due to the volume of correspondence received at the Council, it was not possible to inform residents, objectors, applicants or agents of meeting or decision dates.
- 3.7 In the case of this application, no representations were received within the 21 day timeframe given from the date that the letters were sent out to notify local residents of the application, and the delegated report indicated this.
- 3.8 The report recommended that permission be granted and a delegated decision was scheduled to be made on the 6th November 2009. This was 44 days after the neighbour notification letters were sent out, 5 days prior to the overall 8-week target date, and just over 7 weeks after the initial validation date, which is considered to be a standard timescale for an application to be determined.
- 3.9 All aspects of the proposal were considered, including an assessment of any possible impact that the proposed development would have on the character of the host dwelling and the amenities of the adjoining properties.
- 3.10 Since the original planning permission was granted, it has now come to light that the property boundary as indicated on the approved plans was drawn incorrectly, and the relationship between the building and the left-hand boundary as drawn and the relationship in situ are not the same.
- 3.11 The distance between the left-hand corner of the building and the property boundary as built is the same as existed prior to works commencing. In addition, Members will note that the width and size of the development that has been built on site is the same as shown on the approved plans.
- 3.12 The discrepancy that has arisen is that the boundary on the submitted plans was not drawn correctly. When the original plans were drawn up, it was assumed that the boundary was the centre line of a low-level brick wall along the boundary, whereas it appears that the wall is within the adjacent site. There is a slight step in the boundary line at the very front of the building which was not shown on the original plans.
- 3.13 The dimensions of the building and the resulting development have not altered when compared with the approved plans, and is not considered to be materially different in terms of the property boundary. Therefore the relationship of the resulting building and the neighbouring properties has not changed, nor has the separation between the host building and the neighbouring properties.
- 3.14 The impact of the incorrectly drawn boundary line has no material impact upon the overall development and whilst the situation should be regularised, it is concluded that the decision on the planning application would have been the same and permission would still have been granted having regard to the impact on the host dwelling and the amenities of the residents of the adjacent properties.
- 3.15 As a result, Members may consider that given the overall size of the approved development has not altered, the relationship of the resulting property and the adjacent property has not changed, and it is in fact the property boundary which was drawn incorrectly originally, along with the fact that all material planning considerations were taken fully into account, this amendment may be considered acceptable and it is not expedient to take any further action.

Non-Applicable Sections:	Financial, Legal and Personnel implications
Background Documents: (Access via Contact Officer)	Enforcement files containing exempt information as defined by Schedule 12a of the Local Government (Access to Information) Act 1985 are not available for public inspection.