

SECTION '2' – Applications meriting special consideration

Application No : 12/00502/FULL6

Ward:
Bickley

Address : 3 Birdham Close Bickley Bromley BR1
2HF

OS Grid Ref: E: 542406 N: 167764

Applicant : Mr Barlas Remzi

Objections : YES

Description of Development:

Part one/two storey side and rear extension with single storey front extension and roof alterations incorporating a rear dormer

Key designations:

Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
London City Airport Safeguarding

Proposal

Permission is sought for a part one, part two storey side and rear extension with a single storey front extension and roof alterations incorporating a rear dormer.

The property benefits from a single storey garage for part of the flank elevation and a single storey rear extension for part of the rear elevation, which it is proposed to demolish and replace with the proposed development.

To the rear an extension of 3.8 metres in depth is proposed, with the two storey side element also projecting to the rear by 3.8 metres and giving a two storey rear projection with a width of 5.1 metres, leaving 3.3 metres to the adjoining neighbour's boundary at first floor level. A rear dormer is also proposed to the existing rear roofslope.

The two storey side element projects 2.3 metres from the flank wall of the original dwelling and has a length of 12.2 metres, 3.8 metres of which are beyond the existing rear wall. A 1 metre side space is allowed to the boundary. A hipped roof matching the angle of the existing roof slope is proposed.

The single storey front extension has a width of some 5.2 metres and a forward projection of 1.2 metres to the proposed side element and the existing principal elevation. This element comprises an extended entrance area and habitable room.

Location

The application site is located to the northern edge of Birdham Close and features a two storey semi-detached dwelling of a similar size, design and scale as other properties in this cul-de-sac.

Comments from Local Residents

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

- the proposal would lead to a loss of daylight to No.2.
- the proposed flank window would lead to a loss of privacy.
- a sense of enclosure would result due to the bulk of the proposal.
- the proposed side space would be inadequate.
- overlooking would result to the properties at the rear.

Comments from Consultees

The Council's Highway's Engineer has stated that the proposal would result in at least two parking spaces to the front of the property and as such no objection is raised.

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
H9 Side Space
T3 Parking

Supplementary Planning Guidance 1 and 2

Planning History

A previous application for a similar scheme, application reference 11/03766, was refused in February 2012. The ground of refusal was:

“The proposal does not comply with the Council's requirement for a minimum 1 metre side space to be maintained to the flank boundary in respect of two storey development, in the absence of which the extension would constitute a cramped form of development, out of character with the street scene and detrimental to the amenity that the neighbouring property at No.2 might reasonably expect to enjoy contrary to Policy H9 of the Unitary Development Plan.”

Member's should also be aware of other properties in the Birdham Close that have had similar applications approved:

No. 2 was granted permission for a first floor front and side extension (in order to create a two storey side extension) under application reference 88/01426.

No. 5 was refused permission for a part one/two storey side and rear extension (09/02924) due to a lack of a 1 metre side space.

Elsewhere, Nos. 11 (04/00188), 13 (06/03260) and 29 (06/03759) have had previous permissions for alterations that included or consisted of first floor side elements.

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 application site was visited by the case officer and the aims and objectives of the above policies, national and regional planning guidance, all other material planning considerations including any objections, other representations and relevant planning history on the site were taken into account in the assessment of the proposal.

Objections have been raised by the neighbouring property at No.2 concerning a boundary dispute. There is disagreement as to where the boundary line between the two properties is situated and as a result the where the side space is measured to. Disputes of this nature are not within the Council's control and are considered a private legal matter to be rectified outside of the planning process.

The proposed single storey rear element measures 3.8 metres in depth and, given the presence of a single storey extension at No.4 of a similar depth, it is not considered that this part of the proposal would result in a detrimental impact to the neighbouring residents at that dwelling.

To the front elevation the existing garage is to be demolished and a relatively shallow extension is proposed comprising habitable space. Although a parking space would be lost in the form of the garage, two parking spaces would still be provided. As such this is considered acceptable and would not harm the character of the area or the host dwelling, whilst complying with Policy T3.

The proposed rear dormer is also considered to be acceptable. This element is relatively modest within the existing roofslope and although overlooking would result to the properties to the rear and to the gardens of adjacent residents, it is unlikely to be to an unacceptable level in addition to that already resulting from existing first floor rear windows.

The previous application, reference 11/03766, was refused due to the two storey side element only allowing for a side space of 0.84 metres; this was principally due to the retention of the existing garage and the proposed development being to the front and rear of this structure. This revised proposal removes the existing garage and the plans submitted show a 1 metre side space for the full height and length of

the flank elevation, with 0.64 metres from the flank wall of No.2 to the disputed boundary line. Therefore the two storey side extension allows for a 1 metre side space as required by Policy H9.

Given that the proposal now complies with Policy H9 it is considered that the previous refusal ground has been overcome and the proposal is, on balance, considered acceptable.

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. 12/00502 and 11/03766, 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 ACI09 Side space (1 metre) (1 insert) western
ACI09R Reason I09
 - 4 Before the development hereby permitted is first occupied the proposed window(s) to the western flank elevation of the development hereby permitted shall be obscure glazed in accordance with details submitted to be submitted to and approved in writing by the Local Planning Authority and details of any openings shall be submitted to and approved in writing by the Local Planning Authority and shall subsequently be permanently retained in accordance with the approved details. In the interests of the privacy of adjoining properties and openings should be at high level.
ACI11R Reason I11 (1 insert) BE1 and H8
 - 5 ACI13 No windows (2 inserts) western flank two storey side and rear extension
ACI13R I13 reason (1 insert) BE1 and H8
 - 6 ACK01 Compliance with submitted plan
- Reason:** In order to comply with Policies BE1 and H8 of the Unitary Development Plan and in the interests of the amenity of neighbouring properties.
- 7 AJ02B Justification UNIQUE reason OTHER apps

Policies (UDP)

- BE1 Design of New Development
- H8 Residential Extensions
- H9 Side Space
- T3 Parking

Supplementary Planning Guidance 1 and 2

INFORMATIVE(S)

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|---|-------|-------------------------------------|
| 1 | RDI07 | 1 metre side space |
| 2 | RDI15 | Highways Act – overhanging vehicles |
| 3 | RD130 | Obscure Glazing |

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