

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

Application No : 12/00587/FULL6

Ward:
Bromley Common And
Keston

Address : 16 Oakley Drive Bromley BR2 8PP

OS Grid Ref: E: 542155 N: 165213

Applicant : Mr A Jones

Objections : YES

Description of Development:

Detached garage to rear RETROSPECTIVE APPLICATION

Key designations:

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

Proposal

- Detached garage measuring maximum height 3.5m x 7.5m long x 3.5m wide
- Dual-pitched roof
- Window and door to western side elevation.

Location

- The garage is sited adjacent to the eastern boundary of the curtilage of the site
- Access is from Cedar Crescent
- Prior to the construction of the garage there was previously a garage in the same location
- The site is bounded to the north by No.20 Oakley Drive and to the east by No.1 Cedar Crescent
- The southern and western sides of the site are bounded by highway.

Comments from Local Residents

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

- height of building is not shown

- roof is not as in the application
- much higher than original garage
- cuts out sunlight and shades garden
- can be seen from every living room
- overlooked by a window and door
- invasion of privacy
- noise if used as a garage or workshop
- much nearer
- looks like a small bungalow
- value of property has been reduced

Comments from Consultees

The Council's Highways Development Engineers have raised no objections to the proposal.

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
 T18 Road Safety

Planning History

05/03379 - Single storey side and rear extensions with enlarged roof including 3 rear dormers – REFUSED

05/04450 - Single storey side and rear extensions with enlarged roof including 2 rear dormers – PERMITTED

06/00917 - Single storey side and rear extension – PERMITTED

11/02119 – Certificate of lawfulness refused for a replacement detached garage. The reason the proposal was not lawful was as follows:

The proposed development is not permitted by virtue of Class E, Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) as the height of the building would exceed 2.5 metres and would be situated within 2 metres of the boundary of the curtilage of the dwellinghouse.

11/03285 – Replacement detached garage – PERMITTED

Following a complaint that the garage had been constructed higher than approved the Council requested a retrospective planning application be submitted in order to

show the correct ground levels and consequential difference in height between the front and the rear of the garage.

Conclusions

The main issues relating to the application are the effect that it has had on the character of the area, the impact that it has on the amenities of the occupants of surrounding residential properties and the effects it has on parking and road safety in the vicinity of the site.

At its highest level the proposed garage measures around 0.5m higher than the former garage at the site (which had a mono-pitched roof) as well as the previously approved replacement garage (both of which measured 3m maximum). At its lowest height the garage measures 3m. The length of the garage has also increased from the former garage at the site (by approximately 2.25m) as has the width (by approximately 0.5m). Whilst more significant in scale than the previous development, it is considered that the garage is of a reasonably attractive design with a pitched roof and brick detailing and, subject to it being rendered as shown on the submitted drawings, it would appear to be compatible with the scale and form of adjacent buildings and areas. Furthermore, being set well-back from the highway boundary, the garage has minimal visual impact on the street scene.

The garage is sited in close proximity to the neighbouring dwelling at No.1 Cedar Crescent and although it is longer with a more prominent ridge height due to the design of the roof, when compared to the former garage, the impact on the amenities of the occupiers of this property is not considered to be significantly harmful to warrant refusal of the scheme.

Objections have been received from the occupiers of 20 Oakley Drive, to the north of the garage, whose rear garden faces the 'higher' rear elevation of the garage, over loss of outlook and daylight, overlooking and invasion of privacy and noise. The garage is situated approximately 6.5m away from the dwelling at No.20 and, again, due to the design of the roof and its length, the development does appear more prominent from this neighbouring site than the former garage which had a flat/mono-pitched roof. Whilst it is acknowledged that the development does have some visual impact, it is not considered that the outlook or amenities of the occupiers of No.20 have been affected to a degree which would warrant the application being refused. With regard to overlooking/loss of privacy, the window and door do not directly face the neighbouring site, are screened by the boundary fence and are unlikely to be a source of significant overlooking. With regard to loss of light and overshadowing, this is likely to have only affected a small proportion of the rear part of the garden of No.20 and only for a limited time each day and is therefore not considered unduly harmful to the living conditions of the occupiers of this site.

The existing vehicular crossover would be utilised and although the existing fencing along Cedar Crescent hinders pedestrian visibility, as the access arrangements are as existing the proposal is considered acceptable from the highways perspective.

Having had regard to the above, it was considered that the development in the manner proposed is acceptable in that it has not resulted in a significant loss of amenity to local residents nor impacted detrimentally on the character of the area.

Background papers referred to during production of this report comprise all correspondence on files refs. 11/03285 and 12/00587, excluding exempt information.

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- 1 Details of render to be applied along the north, east and west elevations of the building shall be submitted to and approved in writing by the Local Planning Authority within one month of the date of this decision. The render shall be implemented within 1 month of the date of the above mentioned approval and shall be permanently retained thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interest of the visual and residential amenities of the area and to comply with Policy BE1 of the Unitary Development Plan.

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
T18 Road Safety

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 transport policies of the development plan
- (f) the adjoining owners concerns raised during the consultation process

and having regard to all other matters raised.

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