

SECTION '2' – Applications meriting special consideration

Application No : 12/01394/FULL6

Ward:
West Wickham

Address : 58 Wood Lodge Lane West Wickham
BR4 9NA

OS Grid Ref: E: 538562 N: 165265

Applicant : Mr Matthew Wyatt

Objections : YES

Description of Development:

Raised patio area at rear with steps and balustrade RETROSPECTIVE APPLICATION

Key designations:

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

Proposal

The application seeks retrospective planning permission for a raised patio area at the rear with steps down into the rear garden and an iron balustrade / railings around the outside. The maximum height of the raised patio area from the main garden ground level would be some 2.08 metres above which would be an iron balustrade. The raised patio area would occupy the full width of the existing property.

Location

The application site is located within Wood Lodge Lane in a predominantly residential area. Towards the rear of the site is a large area of open land located within the Green Belt known as Sparrows Den Playing fields.

Comments from Local Residents

- The structure is well beyond the recognised building line and is very high and out of keeping with the surrounding properties
- The structure results in overlooking and loss of privacy
- The height and width is excessive and is out of keeping with neighbouring properties.

In response to these comments the applicant has submitted a further statement which can be summarised as follows:

The boundary screening for the patio was chosen in consultation with the neighbours to ensure they did not suffer from any loss of light or outlook. The views towards the playing fields that the adjacent property currently has are already blocked by mature trees within their garden. Similar patios and raised terraces have been constructed in the area. A patio of this nature is required to provide safe access into the rear garden area.

The full text of this correspondence is available to view on file.

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

Supplementary Planning Guidance 1 and 2

National Planning Policy Framework 2012.

Conclusions

The main issues in this case are whether the current proposals would adequately protect the amenities of adjacent residents in terms of, privacy and outlook, and whether the proposal would be in keeping with the character and appearance of the area in general.

Policies BE1 and H8 draw attention to the need to respect the character, appearance and spatial standards of the surrounding area, the area around the site is predominantly residential and the buildings in the area are predominantly semi detached and detached dwellings.

Rear garden levels fall sharply in a southerly direction and the level of the main house is approximately 2 metres up from the garden level. The raised patio provides access from the rear elevation of the host dwellinghouse into the rear garden. The new raised patio area replaced an earlier patio area which consisted of part paving and part timber decking and with steps leading down to lower garden level through terraces formed from timber decking and natural stone terraced walls.

The height of the patio, limited boundary enclosures and the location of surrounding properties results in some loss of privacy and amenity. The applicants have suggested within their application that they would be prepared to change the boundary material to reduce the impact in terms of loss of privacy and amenity. Members may consider that existing boundary screening could be improved to reduce the impact in terms of the loss of privacy and amenity. Members may

consider that an appropriately worded planning condition could be imposed on any approval to minimise loss of privacy as a result of the proposal.

There are significant changes in ground level down towards the rear garden as can be seen from the submitted plans. The site has a similar relationship to other properties in this locality, some of which appear to have raised patios and steps. It is clear that there will be an impact on nearby properties as a result of this proposal and a judgement needs to be made about whether the impact is unduly harmful. However, Members will need to consider whether this relationship is satisfactory. Considering these concerns and the concerns raised by local residents this application is presented on list 2 of the agenda.

Members will therefore need to consider whether the impact of the raised patio in terms of loss of privacy and amenity, is significant enough to warrant the application being refused. Furthermore, should Members view the patio to be unacceptable in this location it would need to be considered as to whether enforcement action was appropriate.

Background papers referred to during production of this report comprise all correspondence on file ref. 12/01394, excluding exempt information.

RECOMMENDATION: MEMBERS' VIEWS ARE REQUESTED

- | | | |
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| 0 | D00002 | If Members are minded to grant planning permission the following conditions are suggested: |
| 1 | ACA07
ACA07R | Boundary enclosure - no detail submitted
Reason A07 |

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
- H9 Side Space

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 the 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;
- (f) the privacy of occupiers of adjacent and nearby properties;

and having regard to all other matters raised.

D00003 If Members are minded to refuse planning permission the following grounds are suggested:

- 1 The raised patio is considered to be overdominant and detrimental to the amenities that the occupiers of adjoining properties might reasonably expect to be able continue to enjoy by reason of visual impact and loss of privacy and amenity in view of its size and depth of rearward projection thereby contrary to Policies BE1 and H8 of the Unitary Development Plan.

Further recommendation:

Enforcement action taken to remove the unauthorised raised patio area.

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RETROSPECTIVE APPLICATION

