

Decision Maker: PLANS SUB-COMMITTEE NO. 2

Date: Thursday 8 November 2012

Decision Type: Non-Urgent Non-Executive Non-Key

Title: 42 CHISLEHURST ROAD BROMLEY BR1 2NW

Contact Officer: Tim Bloomfield, Development Control Manager
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Chief Officer: Chief Planner

Ward: Chislehurst;

1. Reason for report

A complaint has been made regarding alleged encroachment by a front boundary wall over land which is not owned by the owner

2. **RECOMMENDATION(S)**

No further action.

3. COMMENTARY

3.1 The site is a large detached dwelling house with a large rear garden, the front being on Chislehurst Road, the side adjoining St Georges Road West, photographs are available on file.

3.2 An allegation was made in March 2012 regarding a front boundary wall which was currently under construction at the location and was alleged the wall had extended beyond the property boundary.

3.3 On 19th March the site was visited where apart from the alleged encroachment there was an issue with the height of the wall and piers which required a planning application to be submitted.

3.4 With regard to the alleged encroachment the owner of the property stated he was in the process of purchasing this area of land which forms a triangle where it meets the highway with St Georges Road West.

3.5 A part retrospective planning application was submitted (DC/12/01639/FULL6) and permission was granted on 22.08.2012 for a two storey side extension and alterations to existing front boundary wall and railings.

3.6 Enquiries have confirmed that the land where the alleged encroachment has taken place is not owned by the Council but is maintained by the Council's Highways Department along with several trees on this land.

3.7 According to the owner the matter of the purchase of the land is being dealt with by his solicitor and may take some time to complete. The owner also claims that the brick pillar which is the subject of the alleged encroachment is no more than 0.100m over what he believes to be his property boundary

3.8 The extent of encroachment is relatively small and is not considered to be materially different to the details which were permitted in August 2012. The owner is in the process of purchasing the land it is concluded that it would not be expedient to take enforcement action.