

Decision Maker: PLANS SUB-COMMITTEE NO. 2

Date: Thursday 10 January 2013

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

Title: 119 WORLDS END LANE, ORPINGTON, BR6 6AW

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

Ward: Chelsfield and Pratts Bottom

1. Reason for report

To determine whether it would be proportionate and expedient to take enforcement action in relation to an opening window in a loft extension.

2. **RECOMMENDATION(S)**

That no further action be taken.

Corporate Policy

1. Policy Status: Not Applicable Existing Policy New Policy: Further Details
 2. BBB Priority: Quality Environment
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Financial

1. Cost of proposal: No Cost
 2. Ongoing costs: Not Applicable:
 3. Budget head/performance centre: N/A
 4. Total current budget for this head: £N/A
 5. Source of funding:
-

Staff

1. Number of staff (current and additional):
 2. If from existing staff resources, number of staff hours:
-

Legal

1. Legal Requirement: None:
 2. Call-in: Not Applicable:
-

Customer Impact

1. Estimated number of users/beneficiaries (current and projected):
-

Ward Councillor Views

1. Have Ward Councillors been asked for comments? No
2. Summary of Ward Councillors comments:

3. COMMENTARY

The site is a semi-detached two storey dwelling house situated on the south side of Worlds End Lane on the side of a steep hill where the land falls from East to West.

On 04.08.2012 a complaint was received that a loft extension was under construction at the above site. A subsequent visit revealed that no works had taken place but that works were due to start in the near future.

On 20.11.2012 a further site visit was made where it was found that a loft extension had been completed on the west facing side of the pitched roof which extends from the front to the rear of the host dwelling. In the west facing elevation two windows have been inserted that have been fitted with obscure glazing and a top opening fan light.

The opening leaf of this window is 1.64M above the floor level of the finished room as opposed to 1.7 metres as required by Class B.2 of the General Permitted Development Order.

The extension as constructed is considered to fall within permitted development criteria, however there is a breach of the condition as described above by a minor amount

Consideration has to be given to the extreme sloping effect of the relevant dwellings and whether there is any harmful impact on surrounding properties by allowing an opening leaf in the installed window which is marginally below the standard required.

The complainant's dwelling is overlooked by dwellings in Elm Road which have clear glazed opening windows at first floor level and above. As such the installation of the window as built in the west elevation does not cause any material harm or loss of privacy given the arrangement of the fenestration in existing dwellings.

In these circumstances it is concluded that it would not be expedient to take any further action.

4. POLICY IMPLICATIONS

N/A

5. FINANCIAL IMPLICATIONS

Nil

6. LEGAL IMPLICATIONS

Nil

7. PERSONNEL IMPLICATIONS

Nil

Non-Applicable Sections:	4,5,6,7
Background Documents: (Access via Contact Officer)	EN/12/00491/OPDEV