

SECTION '2' – Applications meriting special consideration

Application No : 12/03918/FULL6

Ward:
Farnborough And Crofton

Address : 5 Fieldside Close Orpington BR6 7TT

OS Grid Ref: E: 544101 N: 164641

Applicant : Mr Andrew Stanford

Objections : YES

Description of Development:

First floor side and rear extension over existing garage and ground floor infill extension

Key designations:

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

This application was originally report to Members of Plans Sub-Committee No. 2 at the meeting held on 7th February 2013. Members deferred the application without prejudice to seek the following:

- Reduction in scale and bulk of the extension in order for the extension to be more in keeping with the area.

In response to the deferral, the applicant has submitted revised drawings (received February 2013) to:

- Reduce the extension by inseting the flank elevation in 1m from the boundary at first floor.

The applicant has submitted further information including letters of support from neighbours, '3D' massing drawings to show the extension in context of the street and additional statements of compliance with policy including the National Planning Policy Framework.

The original report is repeated below, updated as necessary.

Proposal

Planning permission is sought for the following:

- First floor side and rear extension over the existing garage with two front dormer windows.
- Ground floor rear infill extension.

Location

The application site is located to the north west of Fieldside Close and is a detached two storey dwellinghouse with detached garage. The property belongs to a relatively modern development of mainly detached properties, most of which are situated within small plots.

Comments from Local Residents

Nearby owners/occupiers were notified of the application and the following comments were received.

- loss of light

Planning Considerations

The application falls to be determined in accordance with the following policies of the Unitary Development Plan and the London Plan:

BE1 Design of New Development
H8 Residential Extensions
H9 Side Space

London Plan 2011

National Planning Policy Framework 2012

Planning History

Planning permission was granted for the development to which this property belongs in 1983 under ref. 83/01201.

Planning permission was granted for a single storey rear extension in 1997 under ref. 97/00941.

Planning permission was refused for a first floor side and rear extension over existing garage and ground floor infill extension under ref. 11/01012. An appeal was lodged against the refusal, but was out of time.

Planning permission was refused for a first floor side and rear extension over the existing garage and ground floor infill extension under ref. 11/03495. This application was dismissed on appeal.

Conclusions

This application is a resubmission of ref. 11/03495, which was refused for the following reasons:

1. The extension by reason of its overall bulk and proximity to the rear boundary would have a seriously harmful impact on the prospect, visual amenity and privacy currently enjoyed by the neighbouring property to the rear of the site, contrary to Policies BE1 and H8 of the Unitary Development Plan.
2. 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, conducive to a retrograde lowering of the spatial standards to which the area is at present developed and contrary to Policy H9 of the Unitary Development Plan.
3. The proposed extension as indicated on the submitted drawings by reason of its design would be out of character with the host dwelling and detrimental to the visual amenities of the area, contrary to Policies BE1 of the Unitary Development Plan.

This was subsequently refused on appeal with the Inspector stating that the “lean-to sloping roof...would be a very unusual feature in the area and would look incongruous on the side of the dwelling”.

This proposal makes the following amendments to the refused and dismissed scheme:

- Change in design from a lean-to roof over the garage to a mansard with two front dormer windows.
- Reduction in height from 6m to 5m.
- Removal of first floor overhang, by constructing a ground floor infill extension.
- Removal of window from first floor rear elevation

The applicant has also submitted a Design Statement and Statement of Mitigation to justify the proposals in relation to addressing the refusal and appeal dismissal, similarity of the extensions to others in the locality, and case for exception to Policy H9.

Further amendments to the scheme to inset the first floor 1m from the flank elevation have been made following the deferral of this application at plans sub committee 7th February 2013.

The link extension to attach the garage to the host dwelling raises no objections. The mansard roof here is considered to appear compatible in form and subservient to the host dwelling. The two front dormer windows are small scale, set below the ridge of the extension and not considered to appear incongruous on the elevation or within the wider streetscene and acceptably addresses the reason for refusal.

The inset of the first floor 1m in from the ground floor elevation is considered to result in a reduction in bulk of the extension and is now finished with a gable end, rather than hipped end to match the host dwelling.

This proposal would therefore still culminate in development set within 1m from the boundary, and therefore contrary to Policy H9. It is noted that within the appeal dismissal, the Inspector noted that with regard to the lean-to roof “the extension would not look cramped alongside the neighbouring properties. I do not consider that a 1m gap as normally required by Policy H9...is critical in this situation”. The revised roof in this instance is considered to appear acceptably integrated with the host dwelling, with a reduction in bulk than previously sought; accordingly, Members may agree that the revised roof form on balance would not result in the loss of spatial standards of the area or appear cramped in the streetscene and therefore warrants an exception to Policy H9.

With regard to amenity, the extension would be predominantly located over the garage, which is located on the boundary shared with no. 2 and 4 Greenacre Close, set to the rear of the site. The revised roof design is now 1m lower at 5m in height. The first floor rear elevation is also now set 0.5m back from the rear of the garage with a hipped roof slope, where previously the roof was proposed with a flat first floor elevation, overhanging the garage below. The amendment to the roof form is considered to appear less bulky and therefore less intrusive to neighbouring occupiers.

An objection has been received with regard to the loss of light that the extension would result in to neighbouring occupiers. It is noted that the Inspector noted on appeal “I do not consider that there would be a significant degree of additional overlooking of neighbouring gardens or rooms within nearby dwellings. Neither do I consider there would be a significant increase in overshadowing or loss of light”. Given that the extension proposed has been reduced in size it is not considered in this instance to result in a loss of light. Given the compact nature of development within the estate, neighbouring occupiers would be able to see the extensions; however, this in itself is not a reason to refuse planning permission.

There is a first floor window in the extended rear elevation; this would overlook the rear garden. Given that it would replace an existing bedroom window this is not considered to result in harmful overlooking or loss of privacy.

It is proposed to create a playroom within the extension, this is annotated on plan as being ‘non habitable’, and is lit by two roof lights on top of the mansard. Given that windows positioned in the rear roof slope in this room would result in direct overlooking, a condition is recommended which restricts the insertion of additional windows in the extension in the future, without prior consent. From a Building Control perspective, this room would be classed as habitable, regardless of the annotation on plan and that in order to achieve the require building standards, mechanical ventilation would be required for this room.

On balance, Members may consider that the proposals result an acceptable form of development which will appear subservient to the host dwelling and would not

result in the loss of spatial standards for the area, nor result in an unacceptable impact on residential amenity.

Background papers referred to during production of this report comprise all correspondence on files refs. 83/01201, 97/00941, 11/01012, 11/03495 and 12/03918, 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 ACK01 Compliance with submitted plan
 ACC01R Reason C01
- 4 No new windows or other openings shall be inserted in the extension hereby permitted without the prior approval in writing of the Local Planning Authority.

Reason: In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of the amenities of the adjacent occupiers.

- 5 AJ02B Justification UNIQUE reason OTHER apps

Policies (UDP)

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

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"This plan is provided to identify the location of the site and should not be used to identify the extent of the application site"

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