

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

Application No : 13/01292/FULL6

Ward:
Bromley Common And
Keston

Address : 12 Austin Avenue Bromley BR2 8AJ

OS Grid Ref: E: 542409 N: 167549

Applicant : Mr And Mrs Fenemore

Objections : YES

Description of Development:

Part one/two storey side and rear extension

Key designations:

Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
London City Airport Safeguarding
Open Space Deficiency

Proposal

This proposal is for a part one/two storey side and rear extension. It is proposed to extend the garage forward by 1m with a canopy over extending across to the front entrance. Behind the garage an infill extension would enclose the current space between the garage and rear extension. Above which would be a full first floor extension with hipped roof over.

Location

The property is a two storey semi-detached house set on the north western side of a residential cul-de-sac. The adjoining property to the east, No. 13 is of a similar style and appearance and is set on a similar building line. It is sited slightly above the ground level of the application site. Both properties have single storey extensions to the side used as garages. It is proposed to demolish the existing garage and erect a two storey side extension. The new development would provide a garage, utility room and WC on the ground floor with an enlarged bedroom, an additional bedroom and a bathroom above.

Comments from Local Residents

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

- would be the only 2 storey rear extension in the row of 6 semi-detached houses with Nos. 12 and 14 having single storey rear extensions with No. 11 having a loft extension.
- would affect light for garden and conservatory of No. 13, casting a shadow of side and rear of this property and also affect privacy when using garden.
- would establish a precedent for similar development.

Comments from Consultees

No statutory consultations were deemed necessary in this instance.

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

Supplementary Planning Guidance (SPG) 1 General Design Principles
 Supplementary Planning Guidance (SPG) 2 Residential Design Guidance

The National Planning Policy Framework and London Plan are also key considerations in the determination of this application.

Planning History

In 1995 under planning ref. 95/01029, permission was granted for single storey rear extension.

In 2005 under planning ref. 05/01983, permission was refused for two storey side and part first floor extension at rear with pitched roof over.

In 2005 under planning ref. 05/03398, permission was granted for a two storey side and part first floor extension at rear with pitched roof over.

In 2012 under planning ref. 12/03202, permission was refused for a part one/two storey side and rear extension on the following grounds:

"The proposed first floor rear extension, by reason of its excessive depth and proximity to the boundary with No.13 Austin Avenue, would be overly-dominant, intrusive and would be detrimental to the amenities enjoyed by the occupants of this property, contrary to Policies BE1 and H8 of the Unitary Development Plan".

This was subsequently dismissed at appeal.

Conclusions

The main issues relating to the application are the effect that it would have on the character of the area and the impact that it would have on the amenities of the occupants of surrounding residential properties.

The previous application (ref. 12/03202) was refused on the basis that the proposed first floor rear extension would, by reason of its excessive 4m depth and proximity to the boundary with No. 13, be detrimental to the residential amenities of this property. The current proposal has reduced this first floor rear element of the extension by 1m in depth so that it would now be similar to the approved scheme under ref. 05/03398, although this permission has now elapsed.

In dismissing the appeal for planning ref. 12/03202 the Planning Inspector stated "I have taken into account of the scheme approved in 2005 but this was smaller in scale (3m in depth) than the extension now sought (4m in depth). The shallower depth of the first floor extension that was approved would have had a less harmful impact on the living conditions of the residents of No. 13 than the extension now proposed". In light of the above comments from the Planning Inspector and as the proposal would now be similar in scale to the previously permitted application ref. 05/03398, with lower roof height than the existing dwelling thereby minimising its visual impact, and as such the current application is considered to have overcome the previous ground of refusal.

However, this application cannot be dealt with under delegated authority owing to the technical breach of the side space policy. The first floor extension would be inset 0.93m from the common boundary shared with No. 13 (0.8m at the pinch point). These figures would not comply with Policy H9 which requires a minimum 1m inset, however, approved application ref. 05/03398 also included a two storey development with similar separation to the boundary and there are also a number of dwellings built within 1m from the boundary in Austin Avenue. The front corner of the dwelling would be inset 1.05m from the boundary and would therefore retain the spatial standards in the streetscene.

In dismissing the appeal the Planning Inspector stated "Policy H9, referred to in the Officer's report, seeks a 1m minimum inset from the common boundary, but the Council has accepted the reduced distance in this case due to a previous permission on this site which conflicted with that policy; other extensions in the vicinity; and the fact the gap would exceed 1m at the front. This seems a reasonable approach". Members should consider the purpose of Policy H9, designed to prevent unrelated terracing from occurring and to protect the spatial standards of the area. In light of the comments raised above the side space proposed is considered to be acceptable in this instance.

Having had regard to the above it is considered that the development in the manner proposed is acceptable in that it would not result in a significant loss of amenity to local residents nor impact detrimentally on the character of the area.

Background papers referred to during production of this report comprise all correspondence on file ref. 12/03202, excluding exempt information.

RECOMMENDATION: PERMISSION

Subject to the following conditions:

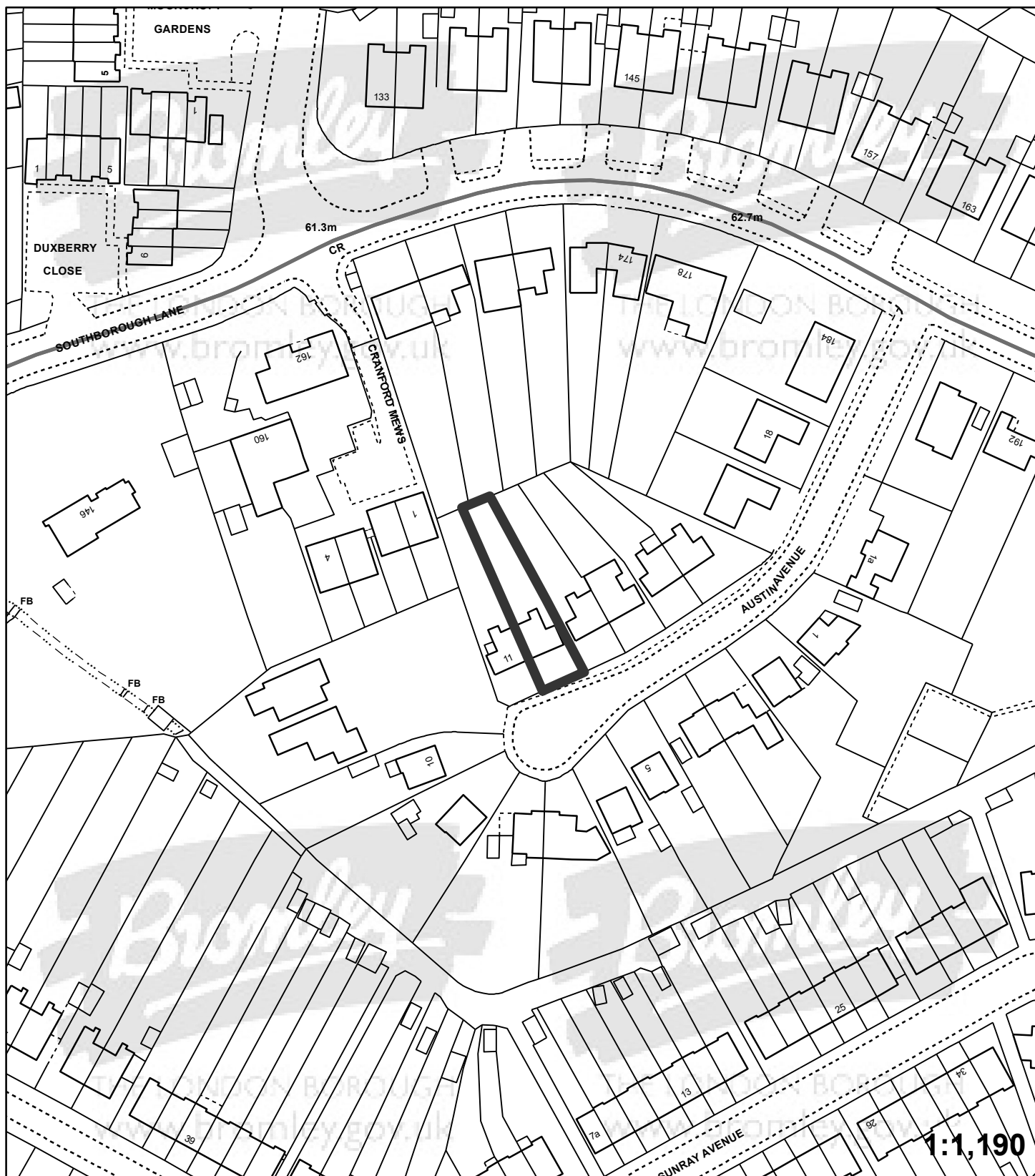
- 1 ACA01 Commencement of development within 3 yrs
 ACA01R A01 Reason 3 years
- 2 ACC04 Matching materials
 ACC04R Reason C04
- 3 ACI11 Obscure glaz'g/details of opening (1 in) in the first floor
 eastern flank elevation
 ACI11R Reason I11 (1 insert) BE1 and H8
- 4 ACI17 No additional windows (2 inserts) first floor flank extension
 ACI17R I17 reason (1 insert) BE1 and H8
- 5 ACK01 Compliance with submitted plan
 ACC01R Reason C01
- 6 Between the first floor eastern flank wall of the extension hereby permitted
 and the flank boundary a side space of no less than that indicated on
 Drawing No.12/1420/02 B shall be provided.

Reason: In order to comply with Policy H9 of the Unitary Development Plan and in the interest of the visual amenities of the area.

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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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