

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

Application No : 13/01662/FULL6

Ward:
West Wickham

Address : 40 Stambourne Way West Wickham BR4
9NF

OS Grid Ref: E: 538473 N: 165378

Applicant : Mrs Allison Thornton

Objections : YES

Description of Development:

Single storey rear extension

Key designations:

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

Proposal

Retrospective planning permission is sought for a single storey rear extension with a 4.0m rear projection at the north-eastern side to create additional kitchen space, reducing to 3.0m beyond the existing living room. The overall width of the extension is 7.4m. A flat roof at an overall height of 3.2m is proposed, with two aluminium framed skylights. A new window is proposed for the rear elevation, along with new patio doors.

Location

The host dwelling is a substantial detached house in Stambourne Way, West Wickham which is residential street comprising a variety of styles of property.

Comments from Local Residents

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

- concerns raised that the extension is too high and too close to No.38
- the extension obstructs the view from the garden of No.38 and restricts light.
- the occupants of No.40 can now overlook into the garden of No.38
- the development will have an adverse effect on the value and market appeal of No.38.

- the proposal differs from that which was discussed with the applicants in February 2013
- the occupant of No.38 believes that the height of the development is higher than it is shown in the new plans
- the development as it stands is not what was consented to in the Party Wall Agreement and clearly contravenes current regulations with regards to single storey extensions.
- should this retrospective application be granted, this will clearly make a mockery of the regulations and authority of the Town Planning department

Comments from Consultees

No internal consultations were deemed necessary in respect of this application

Planning Considerations

Policies relevant to the consideration of this application are: BE1 (Design of New Development) and H8 (Residential Extensions) of the adopted Unitary Development Plan.

The Council's SPG guidance is also a consideration.

Planning History

There is no planning history at this site.

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 application site was visited by the case officer and the aims and objectives of the above policies, national and regional planning guidance, all other material planning considerations including any objections, other representations and relevant planning history on the site were taken into account in the assessment of the proposal.

Concerns have been raised by a neighbouring property (No.38) that the proposal is different to that previously discussed, and as such is not the scheme that was agreed to as part of a Party Wall Agreement that has been signed. While this may be the case, the content of any Party Wall Agreement are a private matter between the applicant and the neighbouring occupants, and is outside the scope of the planning system. This application must therefore be judged on its individual planning merits.

Concerns also relate to the fact that the extension is outside of the tolerances of Class A of the GPDO (1995) (as amended), however the application is for planning consent, not a formal view on the lawfulness of the proposal in respect of Class A. It is noted however that the proposal would be within the tolerances of Class A,

save for an eaves height of 23cm above 3.0m. It appears that work on the extension has been undertaken utilising Permitted Development rights, and this application is to formalise the works by way of seeking full retrospective planning consent.

The host property is a detached house set in a good sized plot, and the general scale of the proposal is not considered to be excessive given the size of the host dwelling. The extension is stepped in depth from 4.0m towards the boundary with No.38 to the north-west, reducing to 3.0m. A separation of around 0.8m from the boundary with No.38 is retained and, on balance, the relationship between the host property and No.38 is considered to be acceptable. No windows are proposed for the side elevation facing No.38, and a planning condition could be utilised to ensure that no future elevational alterations could result in an overlooking or loss of privacy issue.

It is also noted that the existing boundary fence between the host property and No.38 is relatively low (1.4m) so there is an existing degree of mutual overlooking at both properties.

The impact of the proposal on the amenity and outlook of No.42 to the south-east is considered to be minimal, given the separation from the boundary and the lack of windows proposed for the side elevation facing the neighbouring property.

The extension has a flat roof which reduces its overall impact to some degree, and the provision of roof lanterns which will project around 0.6m above the roof line are considered, on balance, to be acceptable. The extension will not be visible from the streetscene and as such will not have a detrimental impact on the prevailing character of the area.

Upon visiting the application site it was noted that the applicants are in the process of constructing a decked area beyond the extension which does not form part of this application. The applicants are advised to satisfy themselves that this decked area is within the tolerances of the relevant section of the General Permitted Development Order (1995) as amended.

Having had regard to the above it was considered that the siting, size and design of the proposed extension 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. 13/01662, excluding exempt information.

RECOMMENDATION: GRANT PERMISSION WITH/WITHOUT CONDITIONS

- | | | |
|---|--------|--|
| 1 | ACA01 | Commencement of development within 3 yrs |
| | ACA01R | A01 Reason 3 years |
| 2 | ACC04 | Matching materials |
| | ACC04R | Reason C04 |

3 ACI13 No windows (2 inserts) in the side elevation facing No.38 Stambourne Way single storey rear extension

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

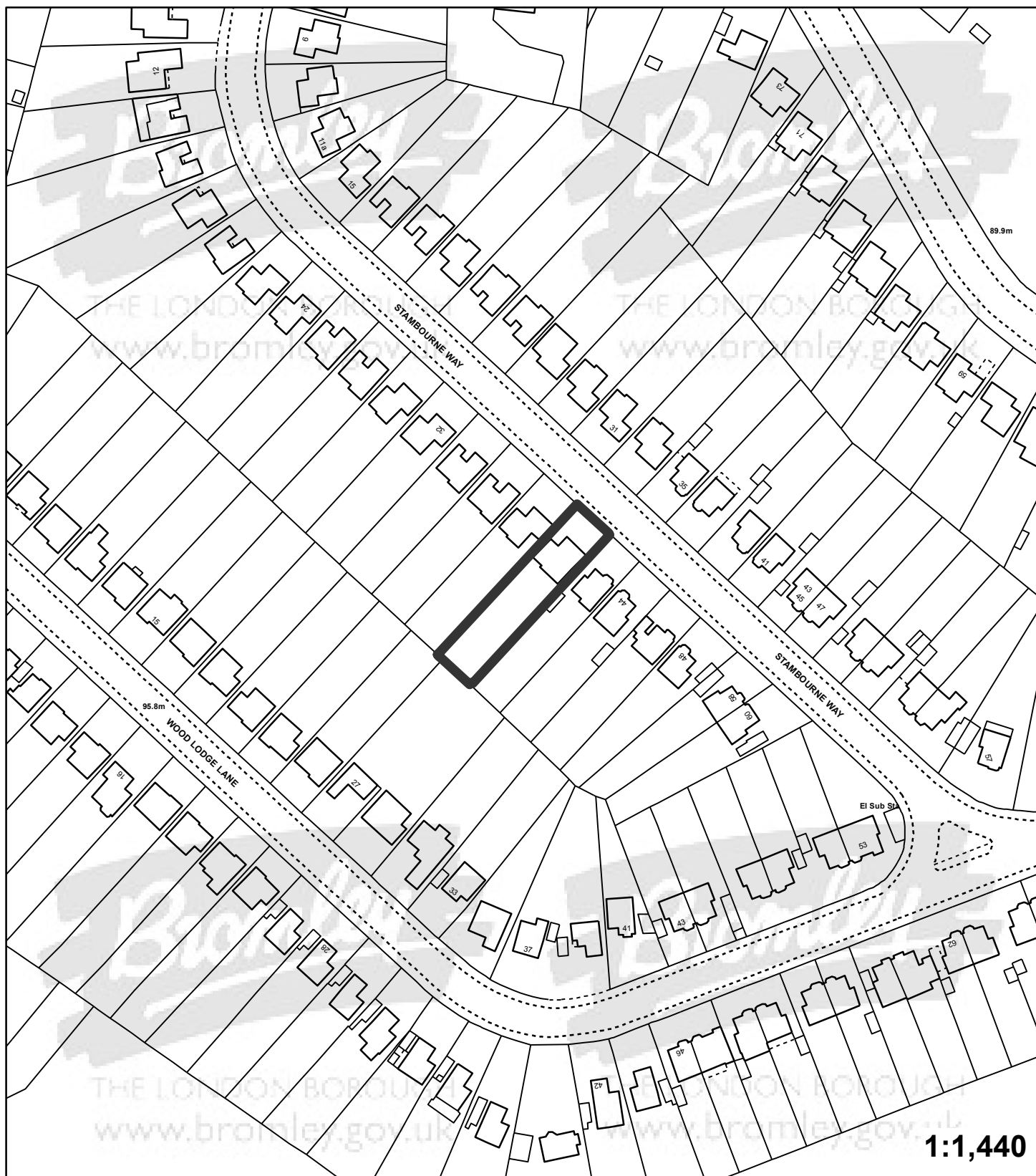
4 ACK01 Compliance with submitted plan

Reason: In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of the visual amenities of the area and the amenities of the nearby residential properties.

Application:13/01662/FULL6

Address: 40 Stambourne Way West Wickham BR4 9NF

Proposal: Single storey rear extension



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

© Crown copyright and database rights 2013. Ordnance Survey 100017661.