

SECTION '2' – Applications meriting special consideration

**Application No :** 13/02625/FULL6

**Ward:**  
Cray Valley West

**Address :** 42 Clarendon Way Chislehurst BR7 6RF

**OS Grid Ref:** E: 546016 N: 168603

**Applicant :** Mr I Sukevicius

**Objections :** YES

**Description of Development:**

Single storey rear extension including steps, and side and rear elevational alterations PART RETROSPECTIVE APPLICATION

Key designations:

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

**Proposal**

Planning permission is sought for the following:

- single storey rear extension with a rearward projection of 4.2m and height of 3m
- side and rear elevational alterations
- revised drawings received 11th September 2013 show the addition of steps down from the rear extension

From visiting the site, it is apparent that the majority of the works are complete. The front boundary previously included in the application has been removed from the current proposal and will be the subject of a separate application in due course.

**Location**

Site relates to a two storey detached property located on south side of Clarendon Way. Detached properties of similar size but of varying design characterise the area.

**Comments from Local Residents**

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

- previous application dismissed and Inspector raised concerns including that the extension dominates views the adjoining properties and overbearing
- welcome higher 2m fence but will not cure problem (No.44)
- concerns about outbuilding in garden that has been constructed
- loss of light to patio and north west ground windows to No.44
- air-conditioning units have been installed on east facing wall
- loss of outlook
- loss of light to No.40
- potential intrusion of privacy
- misleading information on forms
- discrepancies in ground levels
- do not accept higher fence (No.40)
- no benefit in including obscure end panels

Any further comments received will be reported verbally at the meeting.

### **Comments from Consultees**

None.

### **Planning History**

The planning history is summarised as follows:

12/03522- Part/one two storey rear extension and front porch. This application was refused and dismissed at appeal (although the front porch was allowed)

12/03518 - Front boundary wall, piers, railings and sliding gates (maximum height of 2m)was refused for the following reason:

"The proposal, by virtue of its height and design, would be incongruous and detrimental to the visual amenities of the streetscene and therefore contrary to Policy BE1 and BE7 of the Unitary Development Plan."

13/00155 - planning permission was refused for the retrospective works at the site, including a single storey rear extension, front entrance porch, and side and rear elevational alterations for the following reason:

"The single storey rear extension, by reason of its excessive rearward projection, has a seriously detrimental impact on the visual amenities to No.40 Clarendon Way and the prospect which the occupants of this dwelling might reasonably expect to be able to continue to enjoy, contrary to Policies BE1 and H8 of the Unitary Development Plan."

This most recent application was also dismissed on appeal. The Planning Inspector stated that the main issues surrounding the case were the effect on the living conditions of the residents of 40 and 44 Clarendon Road regarding privacy and outlook.

## Conclusions

The main issues relating to the application are the impact the rear extension has on the character of the area and the amenity of the neighbouring properties 40 and 44 Clarendon Way.

Members will be aware that there is a planning history at the site, which includes a single storey rear extension measuring 4.2m, being refused and dismissed at appeal. This application attempts to overcome the previous grounds of concern raised by the Council and the Planning Inspector by reducing the overall height of the extension. This means that the height of the extension is now reduced from 3.3m to 3m (i.e. by 0.3m). The raised decking area that was also indicated on the previous plans has been removed. Members will need to consider whether these changes now warrant the granting of planning permission for the single storey extension constructed at the site.

Reference has been made in to the previous applications that the 'fall back' position of the extension would be to revert to the permitted development allowance of a 4m rear extension. However, from looking at the Council's planning archives, it is also evident that the original dwelling has previously been extended at the rear. Permission was granted in 1981 for a first floor extension over an existing ground floor extension (granted in 1970). Therefore the argument that the extension is close to permitted development dimensions is irrelevant as an extension would not be considered lawful at 4m given that it has been constructed to the rear of an existing extension.

From visiting the application site, the orientation of the dwellings to the south suggests that there is unlikely to be an undue loss of light resulting from the single storey rear extension on the adjoining properties. No.40 is located to the west of the application site and is sited some 8m forward of No.42. This results in an existing poor relationship to the rear with No.40 presented with the flank of No.42. No. 40 benefits from a large open garden and southerly aspect that provides views across the garden from the large kitchen window and patio area. In terms of No.44 to the east, the property follows a similar building line to the application site and the relationship between the two is better. However, the key issues raised by the Inspector in the most recent appeal decision were the outlook and visual impact that the extension has on Nos. 40 and 44. The Inspector raised concerns that the extension would be overbearing on both these neighbours.

In terms of overlooking, there would appear to be minimal impact given the removal of the raised decking. The Applicant has also indicated that once the bi-folding doors are fully open, the view would be restricted through the glass. It has also been suggested by the Applicant that the final panel of glass be obscure glazed should concerns remain.

Concerns were previously raised over the use of the roof of the single storey extension as a balcony. This is not indicated on plan but can be controlled by condition if necessary. It is noted that elevational alterations have been made to the rear of the house by replacing first floor windows with inward opening doors. Should Members be minded to grant planning permission, a condition could be

added for railings to be placed in front of these doors to further restrict access to the roof.

On balance, it is recommended that permission be granted.

Background papers referred to during production of this report comprise all correspondence on files refs. 13/00155, 12/03518 and 12/03522, excluding exempt information.

### **RECOMMENDATION: PERMISSION**

Subject to the following conditions:

- 1      ACK01          Compliance with submitted plan  
         ACK05R        K05 reason
- 2      ACI14          No balcony (1 insert)                  single storey rear extension  
         ACI14R        I14 reason (1 insert)      BE1
- 3      The end panels of the doors nearest to the adjoining properties shall be obscure glazed in accordance with details to be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the property.  
         ACI12R        I12 reason (1 insert)      BE1
- 4      Details of railings to be attached to the first floor rear windows shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the property.  
         ACI14R        I14 reason (1 insert)      BE1

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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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