

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

**Application No :** 13/03121/FULL6

**Ward:**  
**Farnborough And Crofton**

**Address :** 164 Tubbenden Lane Orpington BR6  
9PT

**OS Grid Ref:** E: 544946 N: 165030

**Applicant :** Mr Ali Ahsen

**Objections :** YES

**Description of Development:**

Part one/two storey rear extension

Key designations:

Biggin Hill Safeguarding Birds  
Biggin Hill Safeguarding Area  
London City Airport Safeguarding  
Local Distributor Roads

**Proposal**

It is proposed to add a part one/two storey rear extension which would project 5m to the rear at ground floor level, and 2.5m to the rear at first floor level. The ground floor extension would abut the existing rear garage at the property, whilst the north-eastern wall of the proposed one/two storey extension would be set back 0.82m from the flank boundary of the property with No162.

**Location**

This detached two storey property lies on the north-western side of Tubbenden Lane between two semi-detached dwellings, and has not been previously extended to the rear.

**Comments from Local Residents**

Nearby owners/occupiers were notified of the application and representations were received from the occupiers of No.162 which can be summarised as follows:

- loss of daylight and sunlight to flank kitchen window which is the sole window to the kitchen
- reduced depth of the first floor extension would not be sufficient to overcome the reasons for refusing the previous scheme.

## **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

## **Planning History**

Permission was refused in July 2013 (ref.13/01408) for the erection of a part one/two storey rear extension on the following grounds:

"The proposed extension would, by reason of its excessive rearward projection, have a seriously detrimental effect on the daylighting received by the adjoining side kitchen window of 162 Tubbenden Lane and the prospect which the occupants of that dwelling might reasonably expect to be able to continue to enjoy, contrary to Policies BE1 and H8 of the Unitary Development Plan."

## **Conclusions**

The main issues in this case are the impact of the revised proposals on the amenities of the neighbouring occupants of No.162.

The main difference between the current and refused scheme is that the first floor element would be reduced in depth from 3.3m to 2.5m, although the depth of the ground floor would remain at 5m. Although there would still be some loss of daylight to the kitchen of the neighbouring property at No.162, the reduced depth at first floor level would allow more light to reach this window to an extent that it would be difficult to justify a refusal on these grounds alone. Furthermore, as the affected kitchen window at No.162 is partly obscure glazed (below the opening top light), the proposals are not considered to result in loss of outlook to the neighbouring property.

Having had regard to the above it was considered that the revised proposals are acceptable in that they would not now result in a significant loss of amenity to the neighbouring occupants.

Background papers referred to during production of this report comprise all correspondence on files refs. 13/01408 and 13/03121, excluding exempt information.

## **RECOMMENDATION: PERMISSION**

Subject to the following conditions:

- 1 ACA01 Commencement of development within 3 yrs  
ACA01R A01 Reason 3 years

- 2 ACC07 Materials as set out in application  
ACC07R Reason C07
- 3 ACI13 No windows (2 inserts) first floor flank extension  
ACI13R Reason I13 BE1
- 4 ACK01 Compliance with submitted plan  
ACK05R K05 reason

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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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