

SECTION '2' – Applications meriting special consideration

Application No : 13/03499/FULL6

Ward:
Chislehurst

Address : 44 Marlings Park Avenue Chislehurst
BR7 6QW

OS Grid Ref: E: 545457 N: 168701

Applicant : Mr And Mrs D Payne

Objections : YES

Description of Development:

Part one/two storey side extension to each flank elevation with part one/two storey rear extension and additional vehicular access

Key designations:

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

Proposal

Permission is sought for a part one, part two storey side extension to each of the north and south flank elevations, with a part one, part two storey rear extension. An additional vehicular access is also sought to the southern edge of the curtilage to create an in/out driveway.

The southern element has a length of 7.8m at first floor level that projects 2.2m beyond the first floor elevation of the existing dwelling. The single storey part has a total depth of 5.2m and provides a garage. A side space of 1.7m is allowed for.

The northern element has a length of 6.3m at first floor level and is contained within the front and rear building lines of the existing dwelling. At ground floor level there is a further projection of 5m which is in-line with the rest of the rear enlargements at ground floor level. A side space of 1.3m is provided.

The rear element features a 4.5m first floor extension that has a distance of 4.5m from the northern boundary and 12.8m to the southern boundary. The ground floor element adjoins the side elements to the same depth.

Location

The application site is located to the western edge of Marlings Park Avenue and features a two storey detached dwelling set within a generous plot. The surrounding development is of a range of different scales and designs although all are detached and generally two storey. No42 to the northern boundary is an exception and is single storey.

Comments from Local Residents

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

- excavation could adversely affect the integrity of No.42
- the height and proximity to No.42 will result in overlooking to the garden, shading to the patio and will overwhelm the neighbouring property
- consideration is asked to be given to the personal circumstances of the resident at No.42 who suffers from dementia and the impact of any untoward activity will cause stress and upset; building activity could be life threatening.

Comments from Consultees

The Council's Highways Officer has commented that the proposal includes a good sized garage and there is other parking on the frontage while a second access is also proposed. No objection is raised.

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
T3 Parking
T18 Road Safety

Supplementary Planning Guidance 1 and 2

The National Planning Policy Framework, with which the above policies are considered to be in accordance.

Planning History

A lawful development certificate for an existing rear extension was granted in 1993, under ref. 93/01794.

Conclusions

The proposal seeks to enlarge the existing dwelling to both flank elevations with a one and two storey enlargement to the rear. The host dwelling is of a good size

and is within a large plot, similar to other properties in the surrounding area. It therefore falls to be considered as to whether the proposed development is so large as to harm the character of the area and the host dwelling, and whether the proposed extensions would unacceptably harm the amenities of adjoining residents.

To the southern boundary, No.46 is set behind the application property with a substantial flank elevation being presented to the rear garden of No.44. The southern flank enlargements proposed would therefore sit almost entirely forward of the front elevation of No.46 with a side space of 1.7m. Given the relationship between the two dwellings and the level of side proposed, which exceeds that required by Policy H9 and is considered in-keeping with the spatial standards of the area, it is considered that there would not be a detrimental impact upon the visual and residential amenities of the residents at No.46.

The two storey side extension to the northern boundary is contained within the front and rear building lines of the existing property, with a further single storey element to the rear. A 1.3m side space is allowed for. It is noted that the existing development to this boundary is of a single storey nature for nearly the entire proposed footprint and is to the boundary with No.46.

Although a first floor element is being created, it is considered that the setting away of the ground and first floor extensions by 1.3m improves the spatial relationship between the two properties. The first floor part does not project beyond the rear building line of the adjacent bungalow and does not feature any flank windows, with the single rear window at this level being considered to create an acceptable level of overlooking.

The single storey development to the rear has a depth of some 5m and although this is large, consideration must be given to the size of the host property, the separation to the respective boundaries and the presence of existing development of a single storey nature to the northern boundary. It is not considered that the single storey elements represent an excessive form of development and would not harm the character of the host dwelling or the amenities or outlook of the neighbouring residents.

At first floor level to the rear elevation it is proposed to create a 4.5m deep extension that effectively continues the northern flank wall of the current property. This features a hipped roof that is set lower than the existing roof and has a separation of 4.5m to the northern boundary. Such a depth is large and this element will have a degree of impact upon the daylight and the outlook of the residents at No.42, however Members must consider the not insubstantial level of separation to the northern boundary and the level of mitigation this creates. On balance it is considered that the level of harm afforded to this part of the proposal is acceptable and not so great as to warrant refusal of the application.

The creation of a vehicular access is considered to comply with Policy T18 and no highways objections have been received. This proposal is therefore considered acceptable.

Background papers referred to during production of this report comprise all correspondence on file ref. 13/03499, 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 Before the development hereby permitted is first occupied the proposed window(s) to the northern first floor flank elevation of the two storey rear extension shall be obscure glazed in accordance with details to be submitted to and approved in writing by the Local Planning Authority and details of any openings shall be submitted to and approved in writing by the Local Planning Authority and shall subsequently be permanently retained in accordance with the approved details. In the interests of the privacy of adjoining properties any openings should be at high level.
ACI11R Reason I11 (1 insert) BE1
- 5 ACI13 No windows (2 inserts) first floor northern and southern development
ACI13R I13 reason (1 insert) BE1
- 6 ACH32 Highway Drainage
ADH32R Reason H32

INFORMATIVE(S)

- 1 You should contact extension 4621 (020 8313 4621 direct line) at the Environmental Services Department at the Civic Centre with regard to the laying out of the crossover(s) and/or reinstatement of the existing crossover(s) as footway. A fee is payable for the estimate for the work which is refundable when the crossover (or other work) is carried out. A form to apply for an estimate for the work can be obtained by telephoning the Highways Customer Services Desk on the above number.
- 2 You are advised that this application may be liable for the payment of the Mayoral Community Infrastructure Levy under the Community Infrastructure Levy Regulations (2010) and the Planning Act 2008. The London Borough of Bromley is the Collecting Authority for the Mayor and this Levy is payable on the commencement of development (defined in Part 2, para 7 of the Community Infrastructure Levy Regulations (2010)). It is the responsibility of the owner and /or person(s) who have a material interest in the relevant land to pay the Levy (defined under Part 2, para 4(2) of the Community Infrastructure Levy Regulations (2010)).

If you fail to follow the payment procedure, the collecting authority may impose surcharges on this liability, take enforcement action, serve a stop

notice to prohibit further development on the site and/or take action to recover the debt.

Further information about Community Infrastructure Levy can be found on attached information note and the Bromley website www.bromley.gov.uk/CIL

Application:13/03499/FULL6

Address: 44 Marlings Park Avenue Chislehurst BR7 6QW

Proposal: Part one/two storey side extension to each flank elevation with part one/two storey rear extension and additional vehicular access



"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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