

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

Application No : 13/03929/FULL6

Ward:
West Wickham

Address : 66 Woodland Way West Wickham BR4
9LR

OS Grid Ref: E: 538220 N: 165398

Applicant : Mr & Mrs Alexander

Objections : YES

Description of Development:

Raised decking area, associated screening, planters and steps within rear garden

Key designations:

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

Proposal

Planning permission is sought on a retrospective basis for a raised decking area, associated screening, planters and steps within rear garden.

Location

The application relates to the rear of a two-storey, semi-detached single dwelling located on the western side of Woodland Way to the south of Highfield Drive. The site is neither listed nor within a conservation area. The surrounding area is characterised by similar style and character and residential properties.

Comments from Local Residents

Nearby owners/occupiers were notified of the application and 3 objections were received which can be summarised as follows:

- proposal will result in overlooking and loss of privacy;
- object to any planters for screening purposes as no guarantee they will survive or be maintained;
- extended wall height will obscure views and reduce light;
- area or raised decking is excessive and will be used as 'party' area; and
- not in keeping with surrounding patios.

Comments from Consultees

No internal or external consultation required.

Planning Considerations

The application falls to be determined in accordance with the following policies of the Unitary Development Plan:

BE1 Design of New Development
H8 Residential Extensions

The following Council adopted SPG guidance is also a consideration:

Supplementary Planning Guidance 1 General Design Guidance
Supplementary Planning Guidance 2 Residential Design Principles

The above policies are considered consistent with the objectives and principles of the NPPF.

Planning History

No relevant planning history.

Conclusions

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

The proposed decking, whilst substantial, is considered subservient when taken in the context of the much larger plot, which is sufficient to accommodate the decking without appearing dominated. It is also noted that the decking is to the rear and of a type relatively common, particularly on this side of Woodland Way where, given the topography the decking is usually extended over different levels.

With regard to the residential amenities enjoyed by the occupiers of the adjoining property to the north (#64), the objections from the occupier of this property are noted. However, given the separation distance, there are no openings serving habitable rooms in the southern flank elevation (only a door to a kitchen) and the boundary screening, which at 2.2m is only 0.2m above that allowed as of right under permitted development rights, the proposal will not result in undue overlooking or loss of privacy. In addition, the small increase in height of the boundary treatment over and above that allowed under permitted development rights, it is not considered that any unduly harmful sense of enclosure or dominance would result.

With regard to the residential amenities of the adjoining property to the south (#70), the objections from the occupier of this property are noted. However, the proposed privacy screening will result in sufficient height so as to prevent any undue

overlooking or loss of privacy from the upper level decking. The screening will be 0.4m higher than the existing boundary wall and in this context, not result in such unduly harmful sense of enclosure or dominance over and above the existing environment as to warrant refusal of the application. It is also noted that a privacy screening with a height of 1.8m on the boundary between #70 and #68 was granted permission (11/03408). In addition, whilst raised as an objection, views are not protected under planning law. The angle of viewing, combined with the separation distance and height of the adjoining boundary treatment also mean that no undue overlooking or loss of privacy for the occupiers of #68 will result from the lower decking area.

Concern has been raised over the size of the decking potentially allowing for larger numbers of users and the disturbance this would cause. However, a large expanse of decking could be erected under permitted development rights and regardless, if a noise nuisance was to result, this could be investigated and controlled under other more appropriate legislation such as the Environmental Protection Act.

Whilst it is noted that the proposed area of decking is substantial, as noted above, the plot is large enough to accommodate the decking and for the reasons above would not result in undue harm to neighbouring residential amenities.

Having had regard to the above it is considered that the siting, size and design of the proposal 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 surrounding area.

Background papers referred to during production of this report comprise all correspondence on the file ref. 13/03929, set out in the Planning History section above, excluding exempt information.

as amended by documents received on 07.02.2014

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- 1 ACA01 Commencement of development within 3 yrs
 ACA01R A01 Reason 3 years
- 2 ACK01 Compliance with submitted plan

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

- 3 The close boarded privacy screening to the southern boundary with 68 Woodland Way shall, prior to first use of the decking area hereby permitted, be erected in accordance with the approved plans and maintained as such thereafter.

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

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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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