

SECTION '2' – Applications meriting special consideration

Application No : 13/03887/FULL6

Ward:
Plaistow And Sundridge

Address : Treesway Lodge Road Bromley BR1
3ND

OS Grid Ref: E: 541231 N: 170380

Applicant : Mr And Mrs Clifford

Objections : YES

Description of Development:

Increase in roof height to include front dormer and elevational alterations, two storey rear, part one/two storey sides and first floor and single storey front extensions (Revision to planning reference 13/00074 to include additional rooflights to ground floor and second floor and alterations to garage roof design; alterations to widen front windows and corrected boundary details) RETROSPECTIVE APPLICATION

Key designations:

Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
London City Airport Safeguarding
London City Airport Safeguarding Birds
Open Space Deficiency

Proposal

This is a retrospective application seeking revisions to planning permission ref. 13/00074 which granted consent for the increase of the roof height to include front dormer and elevational alterations, two storey rear part one/two storey sides and first floor front extension and a single storey front extension for garage. The retrospective revisions include additional rooflights to ground floor and second floor and alterations to garage roof design; alterations to widen front windows and corrected boundary details.

Location

The application site is a detached dwelling house located on the east side of Lodge Road. The surrounding locality is predominantly residential in nature, characterised by detached dwellings set back from the highway by substantial front gardens with many mature trees which gives a semi-rural appearance. From the road the land rises to the east and to the west; houses to each side of the road are in an elevated position.

The road is unadopted and the land to the rear is designated as Metropolitan Open Land. The access road to Sundridge Park Manor is to the rear of the site.

Comments from Local Residents

Comments have been received from local residents and are summarised below; the full texts are available to view on file:

- side space is below Policy H9 requirements
- air conditioning units - will create unacceptable level of noise
- overlooking; 3 rooflights were previously indicated - now there are 7 rooflights to each side slope of dwelling. All lower windows should be removed and not just obscure glazed and fixed. They create a lack of privacy and allow views into the bedroom windows of adjacent houses.
- other concerns with overlooking - but would not object if bottom half of the three windows and the whole single window were frosted glass
- garage - already too big and disproportionate to the size of the house and general layout of other houses in the road. Encroaches too far forward. Applicant has stated he would like to use this as a commercial office for his business; this will detract from the quiet and peaceful nature of the peaceful road
- two windows overlooking garden - these should be obscure glazed and fixed
- odd looking 'turrets' to the top of the roof - ugly and out of keeping
- such a big development has had more impact than anticipated

Planning Considerations

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

BE1 Design of New Development
H8 Residential Extensions
H9 Side Space

SPG1
SPG2

Planning History

The most recent planning history includes planning permission ref. 12/01581 which granted consent for the increase of the roof height to include front dormer and elevational alterations, two storey rear part one/two storey sides and first floor front extension.

Two applications were submitted for consideration of a detached double garage to the front of the site with habitable accommodation above. One was withdrawn and the other, ref. 12/03288 was refused.

A further application was submitted, ref. 13/00074, to seek revisions to the previous approved application, ref. 12/01581, to include a single storey front extension (for a garage).

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.

Planning permissions (referred to above) have been granted for substantial extensions to the property. Alterations to the window sizes on the front elevation are not considered to result in such harm to the street scene or neighbouring amenities to raise a planning concern.

The roof lights to the ground floor give rise to some concern in that the proximity to the boundary, the number of them and some of the rooms that they serve have potential to result in an undue impact from noise; it is unlikely that any undue overlooking will arise due to their location. In the event of a planning permission it is recommended relevant conditions be attached to ensure these are unopenable.

It is noted that the proposed revisions to the roof design of the garage result in the installation of a staircase leading to a proposed storage area with a large window. The revised roof design proposed in conjunction with the revisions to the fenestration to the front elevation result in an awkward design relationship and likely to result in an undue impact on the amenities for future occupiers. Additionally, although set back from the road it may be considered that the design creates a bulky addition to this single storey front extension.

The rooflight set in to the rear, return, elevation is not considered to have any detrimental impact on neighbouring amenities, the design of the development or the street scene.

The roof lights to the flank elevations at second floor have been installed and are clear glazed and result in unacceptable overlooking. Revised plans have been received which show the three lower panes (of the set of three) to each flank to be obscure glazed and fixed shut. It is noted that previously approved plans have allowed for three smaller rooflights to each flank. The extent and configuration of the roof lights does have a greater visual impact than the three previously approved but, subject to safeguarding conditions, it may be considered that the impact is not sufficiently detrimental to neighbouring amenities as to warrant a planning ground of refusal. Members may consider that the revised fenestration to each flank may be acceptable subject to the individual windows serving the bathroom areas to be obscure glazed and fixed shut (the lower edge of the frame measures 1.490m from floor level) and the lower panes of the set of three to be obscure glazed and fixed shut.

When considering treatment of the upper panes it is noted that the lower edge of the upper frame measures 1.790m from the floor level. Permitted development guidance for roof lights in a side elevation roof slope is that they must be obscure

glazed and either non-opening or more than 1.7m above floor level. It is understood that the upper panes will be electronically operated and will have a restricted opening of approximately 20cm. Although the previous permission gave consent for three rooflights the configuration of those now installed is considered to result in a greater impact for neighbours. Members may consider for the upper panes to be acceptable on the basis they too are obscure glazed.

Rooflights which have been installed to the roof of the second floor protrude above the approved, increased ridge line and are not considered acceptable. Revised plans have been received which indicate these three rooflights to be rotated, with the highest edge positioned to the rear. The plan indicates that these rooflights will not be visible from the view of a pedestrian in the road. Given the elevated position of the houses to the west side of the road and that the rear elevation of the application site is readily viewable from the access road to Sundridge Park Manor the rooflights will be viewable from the public domain; the design of them is considered out of keeping with the host dwelling and to have a detrimental impact on the street scene.

Due to the development having commenced on site it has come to light that the side space as indicated on plan and approved under previous permissions is reduced in reality. The width of the development appears to be in accordance with that shown on plan and therefore it seems that the resulting side space may have been due to a surveying error in the first instance. The boundaries of the site taper on each side; to the north boundary it tapers out towards the rear and on the south boundary it tapers in towards the rear. This means that the development has reached a pinch point to the rear point of the building and the boundary to the south, with Blackthorns and it is this element which requires careful consideration.

The development is part two and part single storey. When measured, on site, from the flank wall of the single storey element (to the rear) to the fence post/reed type fencing between the site and Blackthorns the measurement was taken as 0.815m; the original plan showed this dimension to be 1.118m. For reference, a measurement of 0.755m was previously taken by the Investigation Officer. When a return visit was made by the planning officer and Investigation Officer clarification was sought as to the boundary point. The site manager advised that the chain link fence had been erected by the applicant, inside of reed type fencing to the side of Blackthorn. Measurements were taken, on site, (from the flank wall to the reed type fence) and this increased at points moving forward to the front of the site to 0.980m, 1.205m, 1.7m and finally 2.55m to the front edge of the single storey garage element. There appears to be a 2m separation from the two storey element to the rear part of the boundary. This report has noted where measurements have been taken from and to. It does not purport to establish the boundary and in the event of a boundary dispute it should be noted that this will be between the two parties concerned and the Council will have no involvement.

Neighbour concerns have been raised in respect of this reduced side space. Where greater spatial standards exist, particularly in respect of two storey development, as well as requiring minimum side space, planning policy indicates that any new development should be mindful of existing spatial standards. A number of factors need to be brought to bear in consideration of this part of the

development which has already been built. The general pattern, including side space, of development varies within the vicinity and the reduced side space is not maintained for the entire flank. The original plans indicated 1.118m to the boundary to the pinchpoint at the rear tapering out to 1.659m to the front; when measured on site it tapers from 0.815m at the rear out to 1.7m to the front of the then existing house. Given the existing permissions it is not considered that the development as built will have a detrimental impact on the street scene and whilst the flank wall is closer to the boundary than originally indicated, on balance, it may be considered to not have such a detrimental impact on neighbouring amenities to warrant a planning ground of refusal. Neighbour comments note that the roof overhang will further diminish the side space; planning policy refers to the flank wall so although this point is noted it does not tip the balance towards a refusal ground in respect of this element of the application.

At the time of the site visit it was noted that the door opening to the south flank of the garage was not as indicated on the submitted plan and there were six air conditioning units mounted to the south flank wall. An application has been requested for the air conditioning units and the agent has indicated it will be submitted during week beginning 17th February 2014.

Given that parts of the development proposed are not considered acceptable from a planning point of view officer recommendation is that permission be refused and, for the reasons discussed above, a further recommendation for enforcement action is proposed.

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

as amended by documents received on 03.02.2014 14.02.2014

RECOMMENDATION: PERMISSION BE REFUSED

The reasons for refusal are:

- 1 The development gives rise to an unacceptable degree of overlooking and loss of privacy and amenity to the occupiers of adjacent properties thus contrary to Policies BE1 and H8 of the Unitary Development Plan.
- 2 The protruding roof lights, by reason of their size, design and projection above the ridge line, result in a discordant feature to the dwelling and are detrimental to the visual amenities of the street scene thereby contrary to Policy BE1 of the Unitary Development Plan.
- 3 The proposed revisions to the approved garage design would result in a bulky feature to this front extension, result in an undesirable feature in the street scene and be detrimental to the amenity of future occupiers thereby contrary to Policy BE1 of the Unitary Development Plan.

Further recommendation:

Enforcement action be authorised in respect of unauthorised development.

