

SECTION '2' – Applications meriting special consideration

**Application No :** 14/00188/FULL6

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

**Address :** 1 Brickfield Farm Gardens Orpington  
BR6 7TE

**OS Grid Ref:** E: 544078 N: 164545

**Applicant :** Mrs Kate Waters

**Objections :** YES

**Description of Development:**

Two storey side extension

Key designations:

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

**Proposal**

- The proposal seeks permission for a two storey side extension that will measure approximately 2.18 metres in width, 8.46 metres in depth to match the depth of the host dwellinghouse, and the eaves and ridge of the extension will match the height of the eaves and ridge of the host dwelling.
- A separation of 0.55 metres would be retained between the property boundary and the flank elevation of the extension at the rear, and a separation of 0.6 metres would be retained along the flank elevation and the property boundary towards the front of the extension.

**Location**

The application site is located on the corner of Brickfield Farm Gardens and State Farm Avenue, and hosts a two storey end of terrace property.

**Comments from Local Residents**

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

- application states single storey rear extension is existing, which is not the case;
- concerns re the rear extension (not part of this application);

- no objection to the side extension but it does not comply with Policy H9 of the UDP;
- if works are carried out at the property would ask the applicant has regard to the noise it will generate;
- would like works to be carried out 08.00 - 17.00 Monday to Friday only.

Revised application drawings were received on 14th February 2014 which omitted the single storey rear extension as this has not yet been built and does not form part of the current application. The neighbour has been notified of this alteration.

### **Comments from Consultees**

No internal consultations were considered necessary.

### **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**

There is no specific planning history related to the host dwelling itself other than the original planning approval for the construction of the property in 1983. Permission was granted under ref. 83/01124 for the erection of 47 one and two bedroom terraced houses.

Permission development rights were removed under this original planning approval.

There is a current application also on the agenda for a single storey rear extension, ref. 14/00758.

### **Conclusions**

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

The application site is located on the corner of Brickfield Farm Gardens and State Farm Avenue. Policy H9 of the Unitary Development Plan states in effect that for proposals of two or more storeys, a minimum separation of 1 metre is required between the property boundary and the flank elevation, for the full height and length of the flank elevation. Where higher standards of separation exist, such as corner properties, a greater separation may be required.

The application as it stands proposes a separation of 0.6 metres at the front reducing to 0.55 metres at the rear, which Members will agree is contrary to Policy H9 of the Unitary Development Plan for any form of two storey development, notwithstanding that the site is a corner location and therefore would require a greater separation than the usual 1 metre.

The applicant and agent have provided details of properties in the locality that appear to have either been built up to the property boundary, or extended to within a metre of the property boundary. The examples provided can be seen on the file, with photographs that have been submitted by the applicant to illustrate the developments. The majority of the properties referred to by the applicant appear to have been either built close to the boundary originally as there is no planning history at the sites, or they are historic cases, or approved at Appeal.

The most recent application that was actually granted permission was at 73 Crofton Lane. This application was for a two storey side extension that was refused by the Council under ref. 03/02701, but was allowed at Appeal. This application was refused on the following ground:

The proposed two storey side extension would by reason of its close proximity to the flank boundary with Kennedy Close appear unduly cramped and seriously reduce the spatial standards of the locality, contrary to Policy H.3 of the adopted Unitary Development Plan and Policy H8 of the second deposit draft Unitary Development Plan (Sept 2002).

Whilst an extension approved at 1 Fieldside Close in 2002 (DC/01/03725) did involve a first floor side extension, it would appear that due to the angle of the property boundary and the relationship with the adjacent dwelling, a separation does still exist between the flank elevation and the property boundary.

As such it is considered that whilst the character of the development provided as examples is similar to that being proposed, direct comparison cannot be drawn between the current application and the examples provided.

Planning policy has not been significantly altered in recent years and in fact Policy H9 has been strengthened with regard to the requirement for at least 1 metre separation from the property boundary for two or more storey development. The estate which the application site is located on is an open-plan estate. Policy H9, and in particular the need for greater separation on corner properties, is considered important to protect the character and the spatial standards of an area, especially with sites such as this where the estate features many open plan corner locations characterised by green verges.

The development is therefore considered to have a detrimental effect on the spatial standards of the open-plan estate, and would not provide a suitable side space to the flank boundary of the site which would result in a cramped appearance within the street scene. The boundary fencing appears to have been relocated to enclose more of the grassed area to the side of the property to the western side. The apparent relocating of the fence appears to enclose land designed to act as open amenity space across the open-plan development and results in an unsatisfactory

departure from the existing open visual qualities of the estate layout. Building the proposed extension to within 0.6 metres of the fencing further exacerbates the reduction of spatial standards and is therefore considered to have a negative impact on the character of the area as it would result in built development close to the property boundary, enclosing the open nature of the site on this corner location which at present benefits from a fairly open appearance when approaching the site from along the road.

Members may want to consider whether they wish to take action against the unauthorised relocation of the boundary fencing or whether on balance it is considered de minimus development.

In conclusion, Members may consider that the development in the manner proposed is not acceptable in that it would result in a significantly detrimental impact on the character of the area, a reduction in spatial standards and overdevelopment of the site, constituting an over dominant addition the host dwelling which lacks subservience, and does not comply with Policy H9 of the Unitary Development Plan.

Background papers referred to during production of this report comprise all correspondence on the file ref. 14/00188, set out in the Planning History section above, excluding exempt information.

as amended by documents received on 14.02.2014

## **RECOMMENDATION: PERMISSION BE REFUSED**

The reasons for refusal are:

- 1 The proposal does not comply with the Council's requirements for a suitable side space to be maintained to the flank boundary in respect to two storey development on corner sites, in the absence of which the proposal would constitute a cramped development, out of character with the street scene in general and contrary to Policies BE1, H8 and H9 of the Unitary Development Plan.
- 2 The proposed extension, by reason of the overall width and bulk would constitute an over dominant addition to the main dwelling which would seriously reduce the spatial standards in this locality and would result in an unsatisfactory departure from the existing open visual qualities of the estate layout, thereby detrimental to the visual amenities of the area generally, and contrary to Policy BE1 of the Unitary Development Plan.
- 3 If permitted the development would be likely to set a pattern for similar undesirable development in the road, to the detriment of the openness of the area and contrary to Policies BE1, H8 and H9 of the Unitary Development Plan and the Council's Supplementary Planning Guidance.

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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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