

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

Application No : 13/04148/FULL6

Ward:
Kelsey And Eden Park

Address : 14 Kelsey Way Beckenham BR3 3LL

OS Grid Ref: E: 537332 N: 168798

Applicant : Mr & Mrs Rudge

Objections : YES

Description of Development:

Balcony area with balustrade to loft room at rear

Key designations:

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

Proposal

A rear balcony is proposed by altering an existing Juliet balcony to provide balustrading that extends from a recently approved rear dormer onto a small flat roof area of the original house measuring 1.23m (d) x 4.17m (w). The balustrading would extend up to a height of 1m to the rear and western side. The scheme has been revised to indicate a higher 1.8m privacy screen is to be provided to the eastern boundary with No.12.

Location

The application property is a detached house located towards the eastern end of Kelsey Way. The surrounding locality is residential and characterised by detached single dwellings set in sizeable rear gardens. The rear garden of the application property extends approx. 35m in depth and 14.5m in width. The site is bounded to the east by No.12 a detached single dwelling house with an equivalent rear building line and to the west by No. 16 which extends approx. 3m further backward into the rear garden.

Comments from Local Residents

Nearby owners/occupiers were notified of the application and 3 representations were received including one in support. The comments can be summarised as follows:

- o [No.16] the proposal may give slightly increased views of our rear garden, however there are many trees and it is not considered that we will suffer a loss of privacy therefore no objections are raised.
- o [No. 60 Greenways] Our rear garden lies across the back of Nos. 12 and 14 due to the proposed balcony being situated at roof height our garden will be visible and we are concerned that we will suffer a loss of privacy
- o [No.12] It is considered that the amended plans do not address concerns previously expressed and the proposal will have a major impact upon privacy within the rear garden, patio area, dining room and rear bedroom. These areas will still be overlooked by someone standing on the balcony
- o The constant awareness that we are , an can be overlooked will severely limit our use and enjoyment of our garden
- o The proposal will be contrary to Policy BE1 (v) of the Unitary Development
- o There are no other properties in Kelsey Way with balconies in rear dormers and the proposal would set a precedent for future undesirable developments
- o As one of the adjacent neighbours, no objections are raised

Planning Considerations

Unitary Development Plan and the London Plan:

BE1 Design of New Development
H8 Residential Extensions

Supplementary Planning Guidance 1 and 2

National Planning Policy Framework 2012

Planning History

Under planning refs. 13/00810 planning permission was granted for single storey side/rear extension and insertion of first floor flank window to western elevation.

Under planning ref. 13/01876 a Certificate of Lawfulness was granted for side and rear dormers including the dormer to which the current application relates.

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.

The aims and objectives of Unitary Development Plan policies, national and regional planning guidance, all other material planning considerations including any objections, other representations and relevant planning history on the site were taken into account in the assessment of the proposal.

Having visited the site and the neighbouring property concerns were initially raised with regards to the impact of the proposal on No.12. In particular it was considered that with regard to the scheme as originally submitted the 1m high balustrade facing No.12 would give rise to an unacceptable degree of overlooking [and the perception thereof] into a dining room, bedroom and garden patio area allowing unfettered views into these areas. The changes to the scheme have not eradicated these views, however the 1.8m high screen would prevent direct views into areas which would be subject to greatest scrutiny from the balcony without the screen. Long range views into the garden will remain however, these would be similar to views currently possible from the existing Juliet balcony.

Having had regard to the above it was considered that the development in the manner proposed 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 area.

Background papers referred to during production of this report comprise all correspondence on the file ref(s)13/04148, 13/01876 set out in the Planning History section above, excluding exempt information.
As amended by documents received on 25.02.2014

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- | | |
|--------|---|
| 1ACA01 | Commencement of development within 3 years |
| ACA01R | A01 Reason 3 years |
| 2 | Before the balcony is first used the obscure glazed privacy screen shall be provided and subsequently shall be permanently retained thereafter.
In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of the residential amenities of the neighbouring property at No.12. |