

SECTION '2' – Applications meriting special consideration

**Application No :** 14/00304/FULL6

**Ward:**  
**Bickley**

**Address :** 5 Heath Park Drive Bickley Bromley BR1  
2WQ

**OS Grid Ref:** E: 542147 N: 168970

**Applicant :** Mr Bhatia

**Objections :** YES

**Description of Development:**

Part one/two storey rear extension

Key designations:

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

**Proposal**

- Part one/two storey rear extension
- the ground floor extension will span the entire width of the dwelling (12.1m) and will have a rearward projection of 6.0m
- at first floor level it would be stepped back from the ground floor extension measuring 4.0m in depth and would be set in from the western side of the building by approximately 4.2m.

**Location**

The application site consists of a detached dwellinghouse located in a residential area.

**Comments from Local Residents**

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

- does not specify distance of proposed second storey extension from west side of building

- extension and outbuilding will be a major overdevelopment of the site
- two applications are mutually exclusive.

## **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

SPG1 General Design Principles  
SPG2 Residential Design Guidance

## **Planning History**

Planning permission was granted in 2003 under ref. 03/00147 for a part one/two storey rear extension.

In 2013, planning permission was refused and dismissed at Appeal under ref. 13/00073 for a part one/two storey rear extension. The Appeal Inspector raised no issues with the two storey element, however, dismissed the appeal based on the rearward projection of the ground floor element (12.5m), concluding that the single storey element of the proposed extension would not respond well to the proportioning of the host dwelling and would be overbearing when viewed from No. 6 Heath Park Drive (13/00073 Appeal Decision).

A subsequent application for a part one/two storey rear extension with a full width first floor extension was refused under ref.13/03204 on the following grounds:

The proposed extension, by reason of its siting and excessive rear projection, would result in a significant impact on the amenities of the neighbouring dwelling at No. 6 Heath Park Drive by reason of visual impact and loss of outlook, contrary to Policies BE1 and H8 of the Unitary Development Plan.

Most recently, a certificate of lawful development was granted for a detached swimming pool building at rear (ref. 13/03202).

## **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.

In the previous application (ref. 13/03204) concerns were raised over the siting of the double storey extension adjacent to the flank boundary adjoining No.6, projecting well beyond its rear building line, and the impact this would have had on the outlook from No.6. The applicant has now amended the scheme by reducing

the width of the first floor extension and setting it in from the western side of the building which would result in a more acceptable visual impact from No.6.

The depth of rearward projection remains the same, as does that of the ground floor extension, which would extend a further 2m to the rear of the two storey extension. While the 6 metre rearward projection proposed at ground floor is considered substantial, in the previous application (13/03204) this element was not considered to result in a harmful impact on the amenities of the occupiers of No.6. Members may therefore consider that by setting the first floor extension away from the western side of the building, the overall impact on the amenities of the occupiers of No.6 is now acceptable. This would be subject to a condition removing permitted development rights for any further extensions and outbuildings, in particular to prevent the creation of an overbearing rearward projection (by a combination of this proposal and permitted development) which the Inspector was concerned about when dismissing the previous appeal.

With regard to the impact on the amenities of the occupiers of No.4, this property is sited further to the rear on its plot than No. 5 and possesses no flank windows that would be affected by the proposal. Furthermore, no flank windows are proposed in the extension. Given the relationship of these two buildings, the impact on No.4 is therefore considered acceptable.

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.

Background papers referred to during production of this report comprise all correspondence on the files refs. 03/00147, 13/00073, 13/03204 and 13/03202, set out in the Planning History section above, excluding exempt information.

as amended by documents received on 07.04.2014

## **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

**Reason:** In order to comply with Policies BE1 and H8 of the Unitary Development Plan, and in the interest of the appearance of the building and the visual and residential amenities of the area.

- 4      ACI13      No windows (2 inserts)      flank extensions  
          ACI13R      I13 reason (1 insert)      BE1
- 5      ACI02      Rest of "pd" Rights - Class A, B,C and E  
          ACI03R      Reason I03

## **INFORMATIVE(S)**

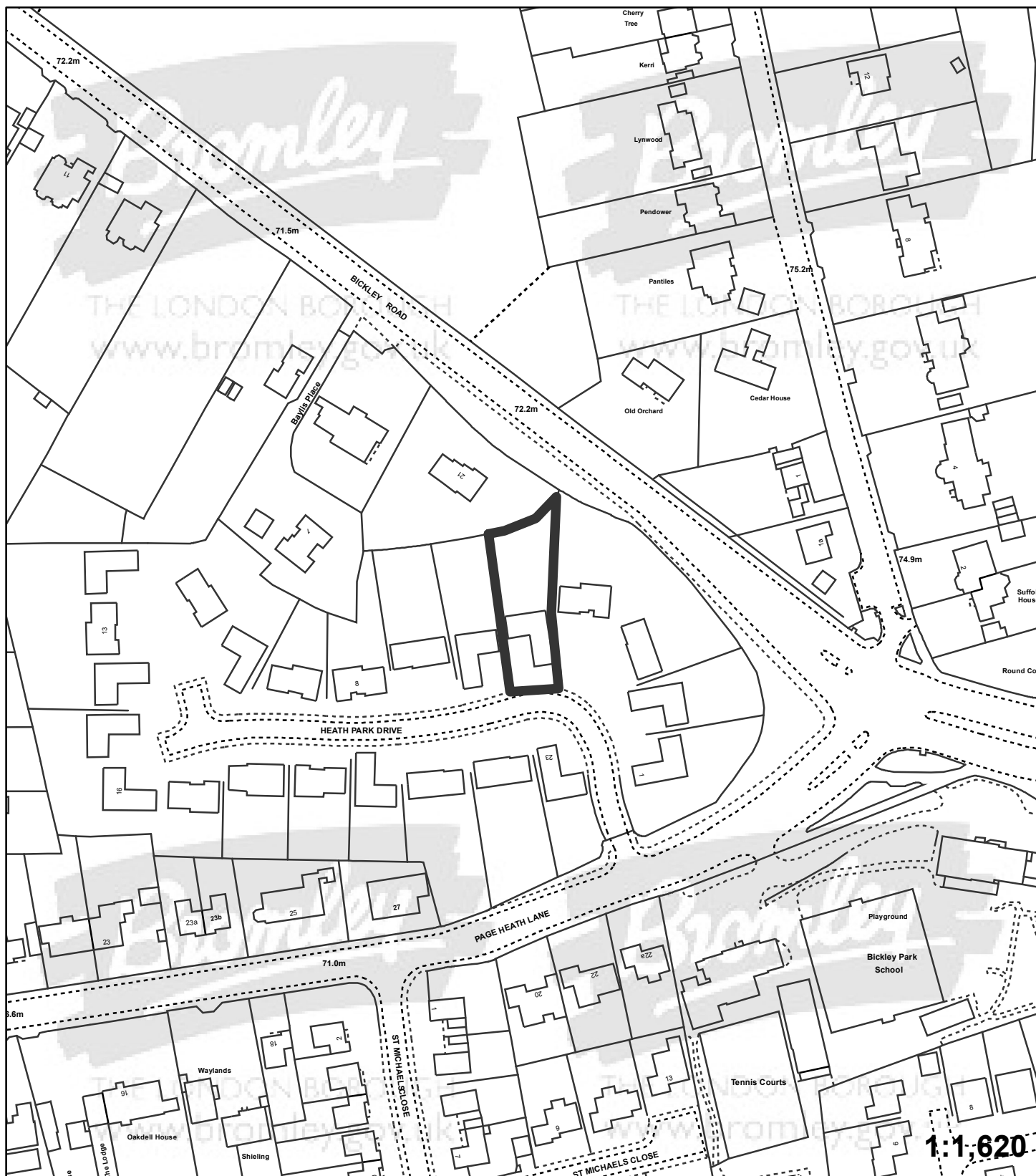
- 1 You are advised that this application is considered to be liable for the payment of the Mayoral Community Infrastructure Levy under the Community Infrastructure Levy Regulations (2010) and the Planning Act 2008. The London Borough of Bromley is the Collecting Authority for the Mayor and this Levy 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)). The Levy will appear as a Land Charge on the relevant land with immediate effect.

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.

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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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