

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

Application No : 14/00501/RECON

Ward:
Petts Wood And Knoll

Address : 9 Acacia Close Petts Wood Orpington
BR5 1LL

OS Grid Ref: E: 544788 N: 167521

Applicant : Mr Neil Rowden

Objections : NO

Description of Development:

Removal of condition 4 of permission ref 13/03468 that requires erection of screening along Southern edge of balcony approved under that reference.

Key designations:

Area of Special Residential Character
Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
Flood Zone 2
Flood Zone 3
London City Airport Safeguarding
Open Space Deficiency

Proposal

This application was deferred by the Planning Sub-Committee which convened on 3rd April 2014 in order for officers to consider alternative screening measures and for the proposal to be reconsidered under delegated authority. Following discussions with officers the applicant has confirmed that the purpose of the application was for the condition in question to be removed. He considers that due to the level of boundary screening at the site a replacement condition is not necessary.

This application seeks to remove Condition 4 of permission reference 13/03468 which requires the erection of screening along southern edge of the balcony which was approved as part of a scheme for a 5.6m deep ground floor extension. The balcony incorporated 1.15m high glazed railings across all sides. This condition was imposed as a means of preventing overlooking, but following further representations and photographic evidence from the applicant, it is accepted that the potential for overlooking to the south is very limited and that the removal of this condition will not result in an adverse impact on neighbouring amenity.

The application is accompanied by supporting photographs showing views from the application dwelling and its relationship to surrounding properties.

Location

The application site is situated within the south-eastern corner of Acacia Close which falls within the Petts Wood Area of Special Residential Character.

Comments from Local Residents

Nearby owners/occupiers, including those situated to the side and rear of the application site, were notified of the application and no representations were received.

Comments from Consultees

Not applicable

Planning Considerations

Policies BE1, H8 H10 of the Unitary Development Plan apply to the development and should be given due consideration. These policies seek to ensure that new development does not adversely affect the amenities of neighbouring properties; that it achieves a satisfactory standard of design which complements the qualities of the surrounding area; and that new development does not adversely affect the character of the Borough's designated Areas of Special Residential Character.

Policy 5.12: Flood Risk Management is relevant to this application

Planning History

Under ref. 08/02452, planning permission was granted for a part one/two storey front/side and rear extension and a balcony to the first floor rear elevation. That followed an earlier planning permission in respect of a similar proposal, under ref. 07/01667. Neither proposal has been implemented.

Most recently, planning permission (ref. 13/03468) was granted for a single storey rear extension with raised patio area and glazed railings and steps to garden and first floor balcony area with glazed railings. The current application seeks to remove Condition 4 of that permission which related to the provision of boundary screening to the south of the site.

Conclusions

The main consideration in this case relates to the removal of the condition requiring the provision of screening along the southern side of the balcony.

As noted above, Condition 4 of permission ref.13/03468, was imposed as a means of preventing overlooking, but it is clear that the potential for overlooking to the south is very limited and that the removal of this condition will not result in an

adverse impact on neighbouring amenity. Whilst no condition was imposed in regard to the eastern and western (flank) sides of the permitted balcony, given the orientation of the extension and its considerable separation to the properties either side, it is considered unreasonable to impose any further condition affecting those sides of the balcony, since it is not considered that the proposal will lead to any substantial overlooking in those directions.

The application dwelling is situated at the SE corner of Acacia Close and incorporates a rear garden of considerable depth (measuring approximately 35 metres between the rear elevation of the existing dwelling and the rear boundary). Boundary screening made up of mature trees straddles much of the southern boundary, and this obscures views in the direction of neighbouring properties along Hawthorn Road and Priory Avenue. Given these characteristics it is not considered that the removal of the boundary screening condition will lead to any notable overlooking in the direction of properties to the south, or associated loss of privacy.

However, since it is acknowledged that the existing vegetative cover provides a high degree of screening between the application site and neighbouring properties, a condition aimed at safeguarding this screening is suggested in order to justify this proposal.

It is also noted that there have been no objections to the proposal from the adjoining properties. On balance, it is recommended that Condition 4 is removed, subject to the conditions outlined below.

Background papers referred to during production of this report comprise all correspondence on files refs. 07/01667, 08/02452, 13/03468 and 14/00501, excluding exempt information.

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 There shall be no raising of ground levels on the site.

Reason: To prevent the increased risk of flooding due to impedance of flood flows and reduction of flood storage capacity, and to accord with Policy 5.12 of the London Plan.

- 4 No trees or shrubs along the eastern, western or southern boundaries shall be removed without the prior approval of the Local Planning Authority in writing.

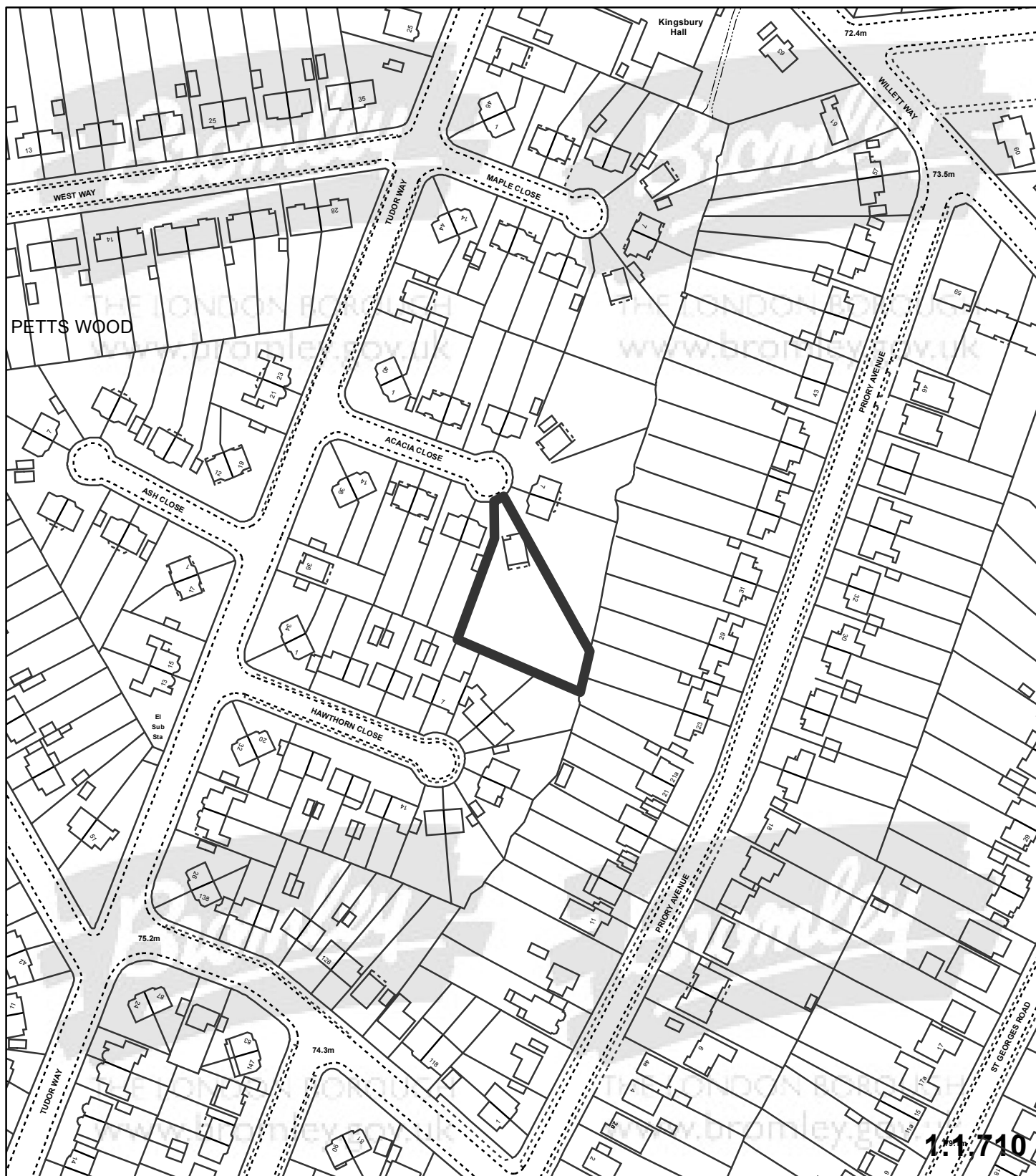
Reason: In order to safeguard the privacy of the adjoining properties, in accordance with Policy BE1 of the Unitary Development Plan.

- 5 ACK01 Compliance with submitted plan
 ACC03R Reason C03

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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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