

SECTION '2' – Applications meriting special consideration

Application No : 14/00917/FULL6

Ward:
West Wickham

Address : 24 Hayes Chase West Wickham BR4
0HZ

OS Grid Ref: E: 539202 N: 167618

Applicant : Mr & Mrs Billings

Objections : YES

Description of Development:

Two storey rear and first floor side extensions

Key designations:

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

Proposal

Permission is sought for a two storey rear and first floor side extensions. The rear element has a depth of between 4.4m and 4m at first floor level whilst the first floor side extension would have a width of 1.7m and be set between 5m and 6.2m back from the front elevation. A 1m side space is allowed for at first floor level.

Location

The application site is located to the north of Hayes Chase and is a two storey semi-detached single family dwellinghouse. Properties in the area are of a similar scale and architectural style.

Comments from Local Residents

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

- proposal would result in overshadowing and a loss of light for the residents of the adjoining property to the east

Comments from Consultees

No technical consultations were undertaken.

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
- H9 Side Space

Supplementary Planning Guidance 1 General Design Guidance
Supplementary Planning Guidance 2 Residential Design Principles

The National Planning Policy Framework

Planning History

Application ref. 13/01195 refused permission for a two storey rear and first floor side extension with a rear dormer on the following grounds:

1. "The proposal does not comply with the Council's requirement in respect of two storey development for a minimum 1 metre side space to be maintained for the full height and width of the flank elevation to the flank boundary, in the absence of which the extension would constitute a cramped form of development, out of character with the street scene, conducive to a retrograde lowering of the spatial standards to which the area is at present developed and contrary to Policies BE1 and H9 of the Unitary Development Plan.
2. The proposed two storey rear extension would, by reason of its excessive rearward projection, appear over dominant when viewed from Nos. 22 and 26 Hayes Chase thereby resulting in overshadowing and loss of prospect seriously detrimental to the amenities enjoyed by the residents of these properties, contrary to Policies BE1 and H8 of the Unitary Development Plan and Supplementary Planning Guidance 1 and 2."

A further application for a revised form of the refused proposal, ref. 13/02887, was refused permission on the grounds that:

"The proposal does not comply with the Council's requirement in respect of two storey development for a minimum 1 metre side space to be maintained for the full height and width of the flank elevation to the flank boundary, in the absence of which the extension would constitute a cramped form of development, out of character with the street scene, conducive to a retrograde lowering of the spatial standards to which the area is at present developed and contrary to Policies BE1 and H9 of the Unitary Development Plan."

This refusal was subsequently upheld at appeal with the Inspector commenting that the increase in the height of the width, depth and height of the roof would increase the actual and perceived mass of the existing roof and would appear

unduly bulky within the street scene. The side element featured a recess of 1.9m from the front elevation, however the Inspector noted this would not overcome the bulk created.

In dismissing the appeal, the Inspector also disregarded examples of other developments in the area, noting that none were directly comparable and were set further back and had lower ridge heights.

The rear extensions were considered to not amount for a reason to dismiss the appeal on their own right although they contributed to concerns regarding the spatial standards of the area. Some loss of light was recognised to No. 22.

Application ref. 06/01525 granted permission for a single storey side, front and rear extension which has been implemented.

Conclusions

The refusal ground of the most recently refused application, ref. 13/02887, concerns the lack of a 1m side space for the full height and length of the flank elevation. It is noted that the rear extension has been accepted in principle and although an objection has been raised on this matter, the Inspector did not dismiss the appeal on this point and the Council did not refuse the last application on this element of the development.

In order to overcome the most recent ground of refusal the extension at first floor level has been set further back and a 1m side space has been maintained at first floor level. The ground floor element is existing with the first floor side extension being set above this. In particular the bulk of the roof has been reduced in line with the existing ridge height and the formerly proposed dormer has been removed entirely.

The previous grounds of refusal, ref. 13/02887, did not relate to the rear extension whilst the Inspector's dismissal noted the impact of the rear extension, but concluded that although this element contributed to the overall impact of the development upon existing spatial standards it did not result in a reason for refusal in on its own merit. As such consideration must be given to the setting in of the first floor side element, the reduction in roof height and bulk and whether these alterations overcome the previous grounds of refusal and those matters raised by the Inspector.

The level of subservience of the first floor side extension, at 5m from the first floor principal elevation, is considered to be a significant improvement over the previously proposed and refused subservience of 1.9m. Policy H9 requires a side space of 1m for the full height and length of a development of this nature and due to the retention of the existing ground floor element this cannot be achieved, with the 1m separation applying at first floor level only.

However, the 5m distance allowed to the front elevation is considered to create such a level of subservience to the host dwelling that the proposal would maintain the spatial standards of the area by substantially mitigating the visual impact of the

first floor element upon the street scene. On this basis it is considered that the design of the first floor element overcomes the harm that Policy H9 seeks to prevent.

The roof height, which contributed heavily to the Inspector's dismissal, has been much reduced and is no longer in excess of the highest part of the existing roof. Together with the overall design created by the 5m subservience this results in a substantial reduction in bulk and roof level and this is considered to overcome the Inspector's concerns with regard to the impact of the development upon the street scene and the subsequent harm to the actual and perceived spatial standards of the area.

It is therefore considered that the proposal would not cause undue harm to the amenities or prospect of neighbouring residents, or result in a detrimental impact upon the spatial standards of the area.

Background papers referred to during production of this report comprise all correspondence on the files refs. 14/00917 and 13/02887, set out in the Planning History section above, excluding exempt information.

as amended by documents received on 05.05.2014

RECOMMENDATION: PERMISSION

Subject to the following conditions:

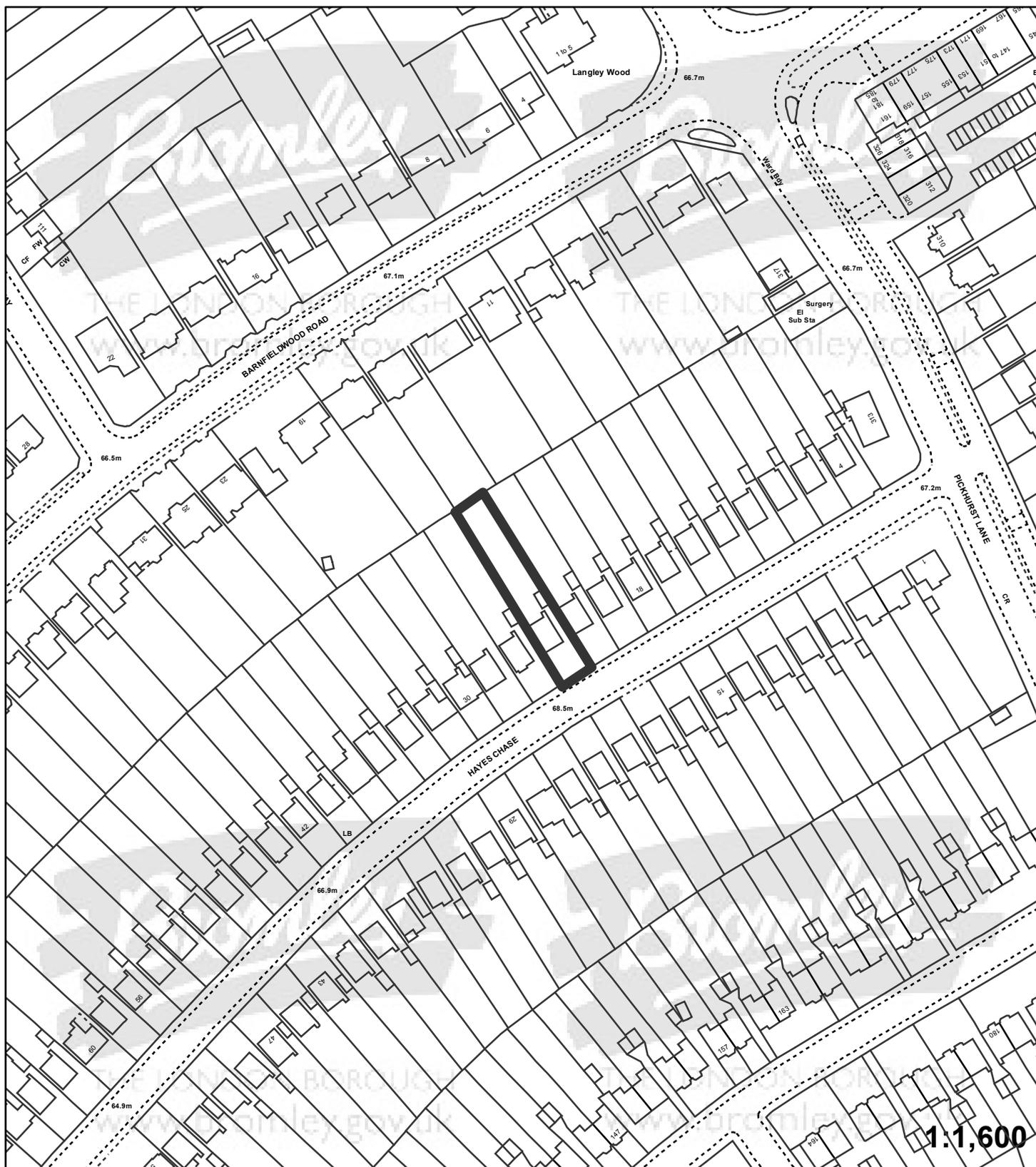
- 1 ACA01 Commencement of development within 3 yrs
ACA01R A01 Reason 3 years
- 2 ACC04 Matching materials
ACC04R Reason C04
- 3 ACK01 Compliance with submitted plan
ACK05R K05 reason
- 4 Before the development hereby permitted is first occupied, the proposed window(s) in the first floor eastern flank elevation shall be obscure glazed to a minimum of privacy level 4 and shall be non-opening unless the parts of the window which can be opened are more than 1.7 metres above floor of the room in which the window is installed and shall subsequently be permanently retained as such.

Reason: In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of the amenities of the adjacent properties.

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