

Section '4' - Applications recommended for REFUSAL or DISAPPROVAL OF DETAILS

**Application No :** 14/01529/FULL6

**Ward:**  
**Plaistow And Sundridge**

**Address :** Treesway Lodge Road Bromley BR1  
3ND

**OS Grid Ref:** E: 541231 N: 170380

**Applicant :** Mr And Mrs Clifford

**Objections : YES**

**Description of Development:**

Increase in roof height to include front dormer and elevational alterations, two storey rear, part one/two storey sides and first floor and single storey front extensions (Revision to planning reference 13/00074 to include additional ground floor rooflights, additional second floor rooflights. Rooflights to garage with barn hip ends. Widening of front elevational windows and correction to boundary location)  
RETROSPECTIVE APPLICATION

Key designations:

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

**Proposal**

This is a retrospective application which proposes revisions to planning permission ref. 13/00074; the revisions include additional ground floor rooflights. Additional second floor rooflights, rooflights to garage and revised barn hip end design to garage roof, alterations to windows on front elevation and corrected boundary details.

**Location**

The application site is a detached dwelling house located on the east side of Lodge Road. The surrounding locality is predominantly residential in nature, characterised by detached dwellings set back from the highway by substantial front gardens with many mature trees which gives a semi-rural appearance. From the road the land rises to the east and to the west; houses to each side of the road are in an elevated position.

The road is unadopted and the land to the rear is designated as Metropolitan Open Land. The access road to Sundridge Park Manor is to the rear of the site.

### **Comments from Local Residents**

Comments have been received from local residents and are summarised below; the full texts and photographs are available to view on file:

- incorrect information on application form regarding trees
- reduction in side space; now showing 620mm
- number of side windows and extent of overlooking and impact on privacy
- ugly garage design and unacceptable view to neighbours opposite - applicant has stated to neighbour wishes to use it as office for business
- odd turrets been removed and replaced with other windows

The full text of comments received is available on file.

### **Planning Considerations**

The application falls to be determined in accordance with the NPPF, the London Plan and the following policies of the Unitary Development Plan:

BE1 Design of New Development

H8 Residential Extensions

H9 Side Space

SPG1

SPG2

### **Planning History**

The more recent and relevant planning history includes planning permission ref. 12/01581 which granted consent for the increase of the roof height to include front dormer and elevational alterations, two storey rear part one/two storey sides and first floor front extension.

Two applications were then submitted for consideration of a detached double garage to the front of the site with habitable accommodation above. One was withdrawn and the other, ref. 12/03288 was refused.

A further application was granted permission, ref. 13/00074, which sought revisions to the previous approved application, ref. 12/01581, to include a single storey front extension (for a garage).

A retrospective application was submitted, ref. 13/03887, for revisions to permission ref. 13/00074, to include additional rooflights to the ground floor and second floor and alterations to the garage roof design, alterations to the front fenestration and corrected boundary details. This was refused for the following reasons:

The development gives rise to an unacceptable degree of overlooking and loss of privacy and amenity to the occupiers of adjacent properties thus contrary to Policy BE1 and H8 of the Unitary Development Plan.

The protruding roof lights, by reason of their size, design and projection above the ridge line, result in a discordant feature to the dwelling and are detrimental to the visual amenities of the street scene thereby contrary to Policy BE1 of the Unitary Development Plan.

The proposed revisions to the approved garage design would result in a bulky feature to this front extension, result in an undesirable feature in the street scene and be detrimental to the amenity of future occupiers thereby contrary to Policy BE1 of the Unitary Development Plan.

Members subsequently deferred any authorisation of enforcement action pending the consideration of this current application.

A separate part retrospective application for the installation of 8 air conditioning units with enclosure, ref. 14/00682, was refused on 15/5/2014 for the following reason:

The development prejudices the amenities of the occupiers of the adjoining dwelling currently enjoy by reason of its close proximity and noise and disturbance, contrary to Policy BE1 of the Unitary Development Plan.

Work has started on site with a view to relocate the driveway and access. This is not part of this application and will be considered separately.

## **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.

As noted under the planning history above planning application ref. 13/03887 was submitted in order to retrospectively address works undertaken outside of that given consent under planning permission ref. 13/00074. The planning report for ref.13/03887 considered in detail the unauthorised work resulting in three refusal grounds. This report will consider whether the current application has sufficiently addressed these grounds to overcome planning concern.

Firstly in respect of overlooking and loss of privacy and amenity. Neighbour concerns continue to be raised in respect of the number of side windows and extent of overlooking and impact on privacy. The rooflights at ground floor have been specified as being fixed shut (non-openable) in order to address concerns about impact on amenity. The submitted planning statement notes at first floor the windows on the side elevations are obscured glass; it is noted that these windows have consent as a result of planning permission ref. 13/00074. Velux windows to en-suites at second floor (loft level) are now specified as obscured glass and fixed shut (non-openable). The two banks of six velux windows to both side elevations

have been specified as obscured glass and fixed shut (non-openable) to the lower three velux windows and the top three velux windows will be clear and openable. The planning statement highlights that '... the lower 'cill' height is 1.8m above floor level, so overcoming any issues relating to loss of privacy'.

The planning report for ref. 13/03887 considered the upper panes in detail and a relevant excerpt follows: 'When considering treatment of the upper panes it is noted that the lower edge of the upper frame measures 1.790m from the floor level. Permitted development guidance for roof lights in a side elevation roof slope is that they must be obscure glazed and either non-opening or more than 1.7m above floor level. It is understood that the upper panes will be electronically operated and will have a restricted opening of approximately 20cm. Although the previous permission gave consent for three rooflights the configuration of those now installed is considered to result in a greater impact for neighbours. Members may consider for the upper panes to be acceptable on the basis they too are obscure glazed'. Concerns are therefore still raised in respect of the impact of the extent and increased number of flank rooflights over and above that which have planning permission.

In respect of the second refusal ground relating to the protruding rooflights the supporting planning statement advises that the '... upstands will be replaced ... with low profile upstands ... so that due to perspective and viewing angles they will no longer be visible from the public domain or neighbouring properties'. Given the elevated position of the houses to the west side of the road and that the rear elevation of the application site is readily viewable from the access road to Sundridge Park Manor it is considered that the rooflights will be viewable from the public domain; it remains that the design of them is considered out of keeping with the host dwelling and to have a detrimental impact on the street scene.

With regard to the third refusal ground relating to the garage design, neighbour objections are noted. Given that there is consent for a front garage extension under ref. 13/00074, the amended design is considered to address previous planning concerns. In the event of a planning permission consideration is to be given to relevant conditions restricting the upper area to storage only, in the interest of neighbouring amenity.

Neighbour objections are raised in respect of the decrease in side space from that indicated on the original plans. The planning report for ref. 13/03887 considered the side space issue; no specific ground of refusal was raised in this respect. It is noted that planning drawing 2 of 5, No 1855-13-PL502 Rev P3 submitted as part of the current application indicates a measurement of 620mm at the 'right hand boundary chain link fence at closest point.

This report should be understood in conjunction with that relating to ref. 13/03887. Given that parts of the development remain unacceptable from a planning point of view officer recommendation is that permission be refused and, for the reasons discussed above, a further recommendation for enforcement action is proposed.

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

**RECOMMENDATION: PERMISSION BE REFUSED**

The reasons for refusal are:

- 1 The development gives rise to an unacceptable degree of overlooking and loss of privacy and amenity to the occupiers of adjacent properties thus contrary to Policies BE1 and H8 of the Unitary Development Plan.
- 2 The protruding roof lights, by reason of their size, design and projection above the ridge line, result in a discordant feature to the dwelling and are detrimental to the visual amenities of the street scene thereby contrary to Policy BE1 of the Unitary Development Plan.

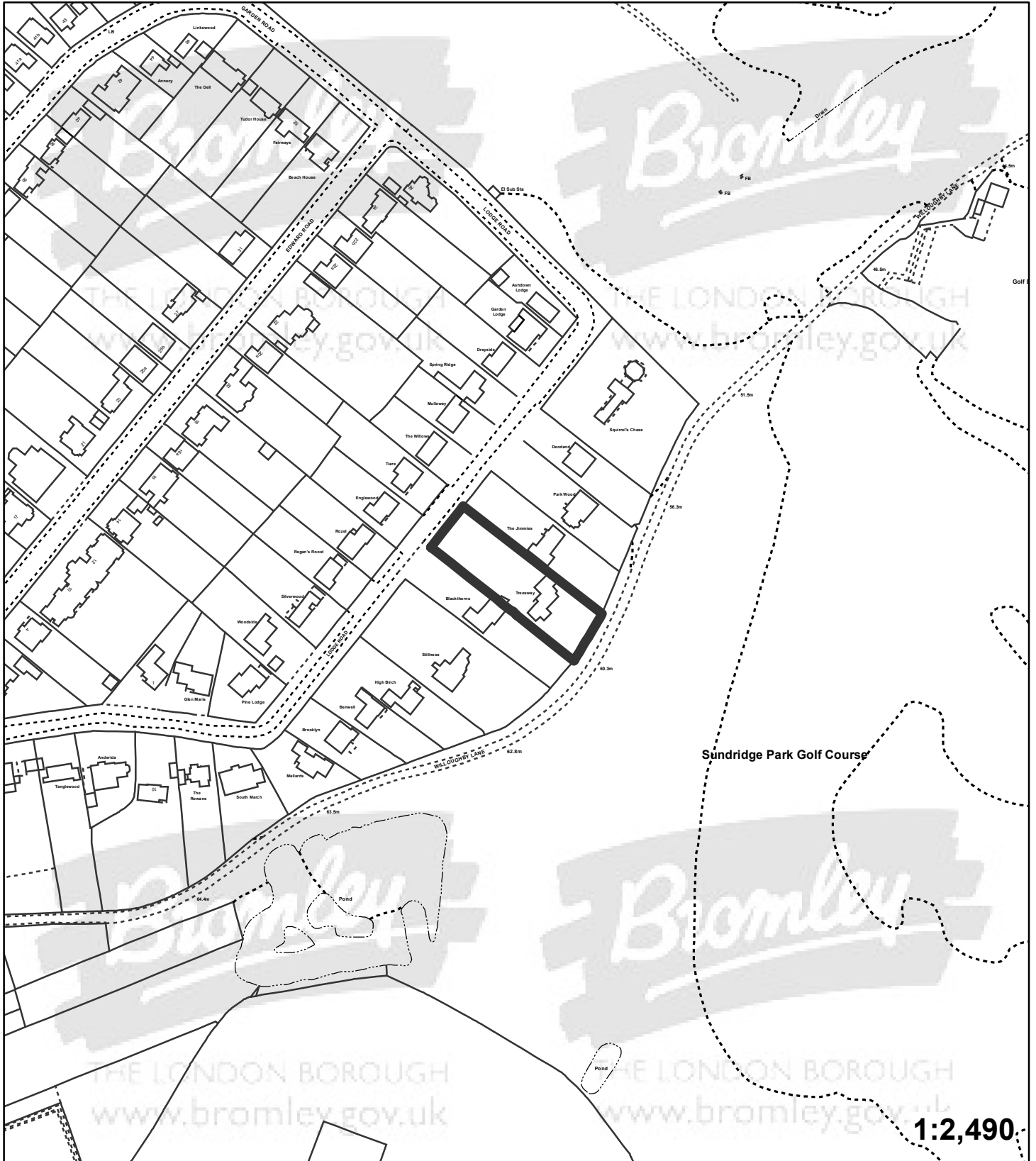
Further recommendation:

Enforcement action be authorised in respect of unauthorised development.

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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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