

SECTION '2' – Applications meriting special consideration

**Application No :** 14/01816/FULL1

**Ward:**  
**Shortlands**

**Address :** 38 Valley Road Shortlands Bromley BR2  
0HD

**OS Grid Ref:** E: 539418 N: 169073

**Applicant :** Ms Lal

**Objections :** NO

**Description of Development:**

Second floor rear extension to No 38 Valley road and second floor rear extension to provide additional habitable space and roof terrace to Flat B, 40 Valley Road.

Key designations:

Biggin Hill Safeguarding Birds  
Biggin Hill Safeguarding Area  
London City Airport Safeguarding  
London City Airport Safeguarding Birds  
Local Distributor Roads

**Proposal**

The current application is a revision to a previously refused application for a similar proposal under ref. 13/02250/FULL1.

The current proposal is to extend onto the existing second floor flat roof with a 5.8m deep extension to provide a larger kitchen and living space. This extension would be flat roofed with eaves at around 2.5m high, with the western side 'cut away' at the side nearest No.36 Valley Road. No windows are proposed for the side elevation facing No.36, and one new window is planned for the rear elevation overlooking the garden of the host site. Two rooflights are proposed in the front roofslope to allow light to enter the living space.

This is a joint application with the occupiers of Flat B, 40 Valley Road which adjoins No.38 to the south-east. The proposal at Flat B, 40 Valley Road is to utilise the party wall created by the extension at No.38 and construct a second floor extension to create a new master bedroom, additional habitable space and a roof terrace. This would also have a rear projection of around 5.8m and would extend an existing flat roofed rear dormer at a height of 2.0m. The roof terrace would be 3.8m wide and accessed via sliding doors from the rear of the new living space. No windows are proposed for the new side (south-eastern elevation towards Stephen Court), and three new roof lights are planned for the front roof slope of the host

building (No. 40 Valley Road). Second floor rear extension to No 38 Valley road and second floor rear extension to provide additional habitable space and roof terrace to Flat B, 40 Valley Road.

### **Location**

The site is a semi-detached property in Valley Road, Shortlands. The ground floor of this property was previously used lawfully as a nursery, meaning that the bedrooms are located on the first floor and the living space on the second floor. Under ref: 13/03105/FULL1 consent was granted to reinstate a residential use on the ground floor.

### **Comments from Local Residents**

Nearby owners/occupiers were notified of the application and no representations were received.

### **Comments from Consultees**

No internal/external consultations were deemed necessary in this instance.

### **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

The Council's adopted SPG guidance is also a consideration.

### **Planning History**

In terms of planning history at No.38 Valley Road:

86/00496/FUL - dormer extension - permitted

02/03437/FULL1 - Change of use of ground floor from residential to day nursery for 10 children - permitted

13/01330/FULL1 - Second floor rear extension and two storey side extension, including into the roofspace - withdrawn

Under ref: 13/03105/FULL1 consent was granted to reinstate a residential use on the ground floor.

In terms of planning history at 40 Valley Road:

88/00020/FUL - CONVERSION OF EXISTING FIRST FLOOR MAISONETTE INTO TWO SELF-CONTAINED FLATS - permitted

08/00791/FULL1 - Conversion of 1st floor flat into 1 one bedroom and 1 two bedroom flats with rear dormer extension (to create Flat B) - permitted

Under ref: 13/02250/FULL1 a joint application for a second floor rear extension to No.38 Valley Road, and second floor rear extension to provide additional habitable space and roof terrace to Flat B, 40 Valley Road was refused for the following reason:

"The proposed second floor extension at the rear of No.38 Valley Road, by reason of its siting and the additional height created, would result in an overbearing addition leading to overshadowing, loss of prospect and loss of light to the neighbouring property at No.36 Valley Road, thereby contrary to Policy BE1 and H8 of the Unitary Development Plan".

The revised application attempts to overcome this previous ground of refusal.

## **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 application site was visited by the case officer and the aims and objectives of the above 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.

As with application ref: 13/02250/FULL1, with regard to the proposal at Flat B, 40 Valley Road, no windows are proposed in the side (south-eastern) elevation, and the proposal would retain a minimum of 4.8m separation from the southern boundary adjoining Stephen Court. This is therefore compliant with Policy H9 of the UDP in relation to side space provision. Stephen Court itself is a four storey building, and the impact on the outlook from the rear windows of this block is considered to be minimal. The proposal includes a new window in the rear elevation which would overlook the gardens of the host site, however the outlook is not considered to be drastically different to the view already available from the first floor windows at the site. Therefore, this window is not considered to result in any undue overlooking or loss of privacy issues at Stephen Court.

The proposal at Flat B includes provision of a roof terrace at the north-western corner of the second floor. Given the relationship with the adjoining property (No.38) regard must be had as to the impact this roof terrace would have on the amenities of the occupants of No.38 when using the communal gardens to the rear, and whether any resulting overlooking is sufficient to warrant refusal of planning permission on this basis.

The proposal at No.38 Valley Road will, in part, infill the current roof terrace with an extension to provide additional living space, and proposes one new window in the rear elevation. Given the existing setup (i.e. that the space is currently a roof terrace with extensive views into neighbouring gardens) the provision of the new window is not considered to result in a level of overlooking that should result in planning permission being refused.

In general design terms, the extensions have been designed to remain lower than the existing ridge height of the roofs of the host dwellings, and are located in the rear elevations. They will not be visible from the street and as such the impact on the prevailing character of the area will be minimal.

With the previously refused proposal, the extension at No.38 had been designed with a pitched roof at the side closest to No.36 to the north-west, and a separation of a minimum of 2.9m would be retained from this shared boundary. Notwithstanding this separation, there were concerns over the impact on No.36 given its orientation to the north of the proposed extension.

The revised proposal removes the section of the proposed extension closest to the boundary with No.36, and this area would be retained as a roof terrace, as it is currently used. The provision of an obscured glazed screen at a height of 1.7m, plus the removal of a sizeable amount of bulk at the northern edge is such that the impact on the amenities of No.36 has been significantly reduced.

With this in mind, and noting that no neighbouring objections have been raised, it is considered that, on balance, the revised proposal 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) set out in the Planning History section above, excluding exempt information.

## **RECOMMENDATION: PERMISSION**

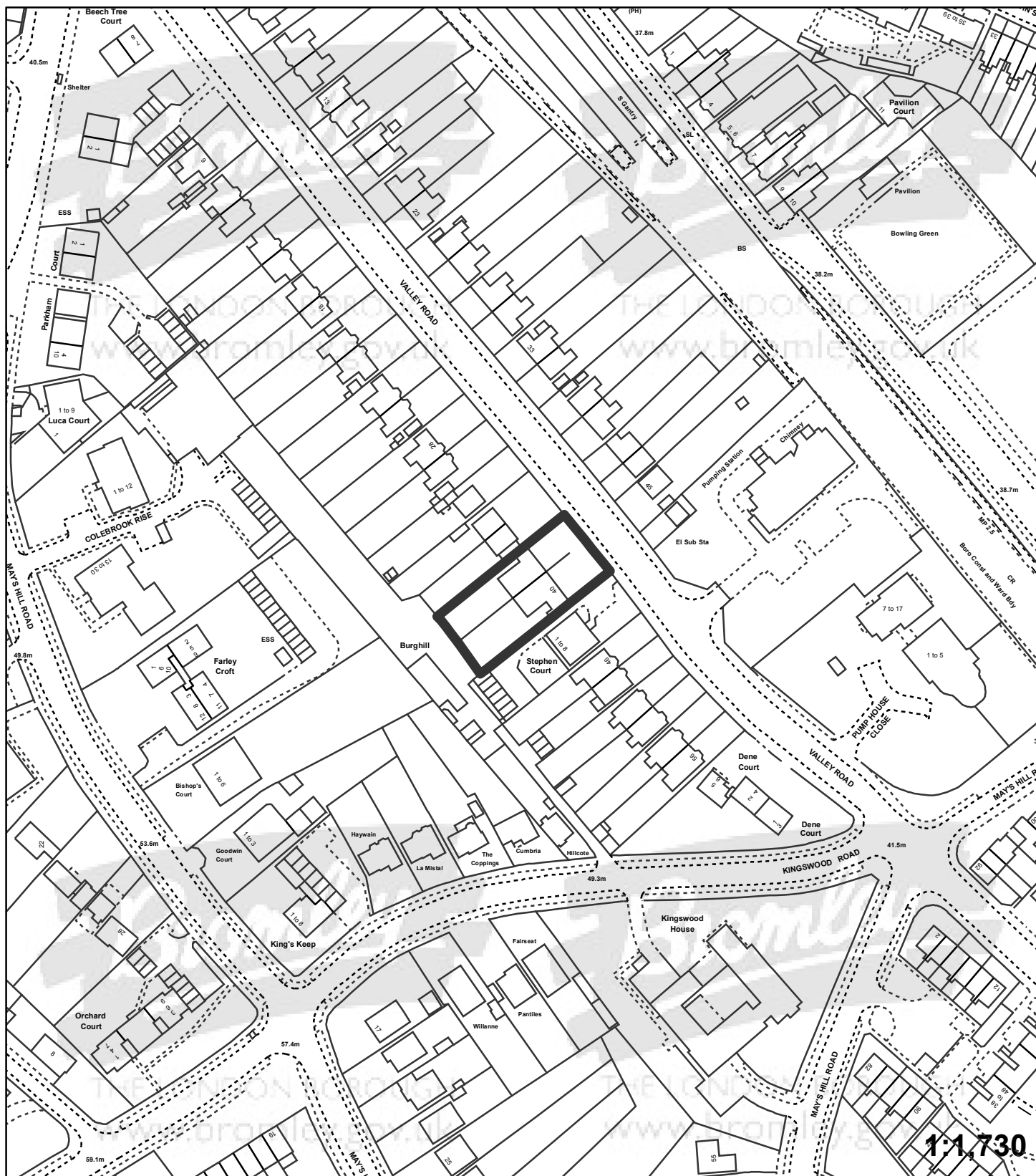
Subject to the following conditions:

- |   |                 |  |
|---|-----------------|--|
| 1 | ACA01<br>ACA01R | Commencement of development within 3 yrs<br>A01 Reason 3 years |
| 2 | ACC04<br>ACC04R | Matching materials<br>Reason C04                               |
| 3 | ACK01<br>ACK05R | Compliance with submitted plan<br>K05 reason                   |

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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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