

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

Application No : 14/03094/FULL6

Ward:
Chelsfield And Pratts
Bottom

Address : 4 Aspen Close Orpington BR6 6JL

OS Grid Ref: E: 546448 N: 164164

Applicant : Mr T Merritt

Objections : YES

Description of Development:

Single storey rear extension

Key designations:

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

Proposal

The application seeks permission for a single storey rear extension.

There is planning history at the site, with the most recent being a lawful development certificate granted for a single storey rear extension under ref. 13/02833. The current application is retrospective as the development has been built slightly larger than allowed under 'permitted development' tolerances.

Under the certificate of lawfulness application, the enlarged part of the dwellinghouse would have a single storey and would extend no more than 4 metres beyond the rear wall of the original dwellinghouse. The current application seeks permission for a rearward projection of 4.26 metres as measured along the southern flank elevation and 4.22 metres along the northern flank elevation, as measured on site, although the plans indicate a rearward projection of 4.2 metres.

Location

The application site comprises a detached two storey dwellinghouse.

Comments from Local Residents

Nearby owners/occupiers were notified of the application and the following representations were received:

- must have realised the extension was larger than it should have been under 'pd' when first course of bricks were laid;
- original rooflights were designed as two low-levels windows, now seeking permission for one large roof lantern with a height of 70cm which will rise above the bathroom window sill;
- unattractive view of high-level roof lantern from neighbouring properties;
- is it now allowable to gain planning permission then build larger, resulting in building creep towards neighbouring properties;
- renders planning process useless if people ignore what's been agreed and build what they want anyway.

Comments from Consultees

No consultations were made.

Planning Considerations

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

BE1 Design of New Development
H8 Residential Extensions

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

Planning History

In 2000, under planning ref. 00/03282, permission was refused for a two storey side extension.

In 2001, under planning ref. 01/00195, permission was refused for a two storey side extension. This was subsequently allowed at appeal.

In 2001, under planning ref. 01/01623, permission was granted for a single storey side and rear extension.

Permission was refused under ref. 12/01371 for a single storey rear extension. This extension had a proposed rearward projection of approximately 5m beyond the rear elevation of the existing dwellinghouse.

Following this, a Certificate of Lawfulness application was granted for a single storey rear extension under ref. 13/02833. This development has been built however the rearward projection built on site is larger than that approved under 'permitted development' tolerances.

The current application is therefore seeking to regularise the development on site.

Conclusions

The principle of development has already been granted under a Certificate of Lawfulness application with a single storey rear extension that previously had a rearward projection of 4 metres, and was approved under ref. 13/02833. The development has been built slightly larger than previously approved however, with a rearward projection as measured on site as 4.26 metres along the southern flank elevation and 4.22 metres along the northern flank elevation.

The adjacent property No. 3 is located to the north of the application site and is set back approximately 3.5m behind the rear elevation of No.4. This property has previously constructed a single storey rear extension of a significantly smaller scale than that proposed at approximately 2.5m, although this does not appear to have the benefit of planning permission.

Whilst the depth of the application proposal would project approximately 5m beyond the rear elevation of No. 3, as previously stated the principle of an extension at 4 metres depth has already been approved. The main difference now to be considered is whether the additional 0.22 metres along the northern flank elevation is acceptable in terms of the additional impact upon the amenities of the residents of the neighbouring property, or whether the additional depth creates an unacceptable impact upon the neighbouring property in respect of which it would be expedient to take enforcement action to remove the additional element of the structure.

Another matter to be considered is the insertion of a roof lantern into the flat roof of the structure. This design of roof lantern is not uncommon across the Borough, however concerns have been raised by neighbouring properties with regard to the height, which is considered by residents to be excessive, and the disturbance to neighbouring properties by reason of excessive light spillage.

Whilst it is appreciated that increasing the depth of the structure previously approved under the certificate of lawfulness is frustrating for neighbouring residents, this in itself is not a reason for refusal. The main consideration here is whether the additional depth of 0.22 - 0.26 metres is acceptable or whether it would result in an unacceptable impact upon the amenities of the neighbouring property, No.3.

It is acknowledged that No.3 is set further forward on the site, and the rear elevation of No.4 is already sited further rearward than the rear elevation of No.3. However it is considered that the difference in depth of the current proposal when compared with the previously approved scheme is not significant enough to have a seriously detrimental impact upon the amenities of No.3 and it would also not be expedient to take enforcement action.

Concern has also been raised with regard to the introduction of a roof lantern into the flat roof of the structure by reason of visual impact to neighbouring properties.

While concerns were raised relating to the residential amenities of adjoining properties through the introduction of a roof lantern into the flat roof of the structure by reason of visual impact, given an approximate distance of 3.2 metres would be retained to the eastern boundary with Nos. 17 and 19 Woodland Way and given

the orientation of the plot it is not anticipated that the roof lantern will have a seriously detrimental impact on the residential amenities of these properties to such an extent as to warrant refusal. In addition, the edge of the roof lantern would be sited approximately 1.8 metres away from the northern flank elevation of the extension, and as a result it is considered that the impact of this element of the proposal upon No.3 is considered to be minimal.

Background papers referred to during production of this report comprise all correspondence on the files refs. 00/03282, 01/00195, 01/01623, 12/01371, and 13/02833, set out in the Planning History section above, excluding exempt information.

RECOMMENDATION: PERMISSION

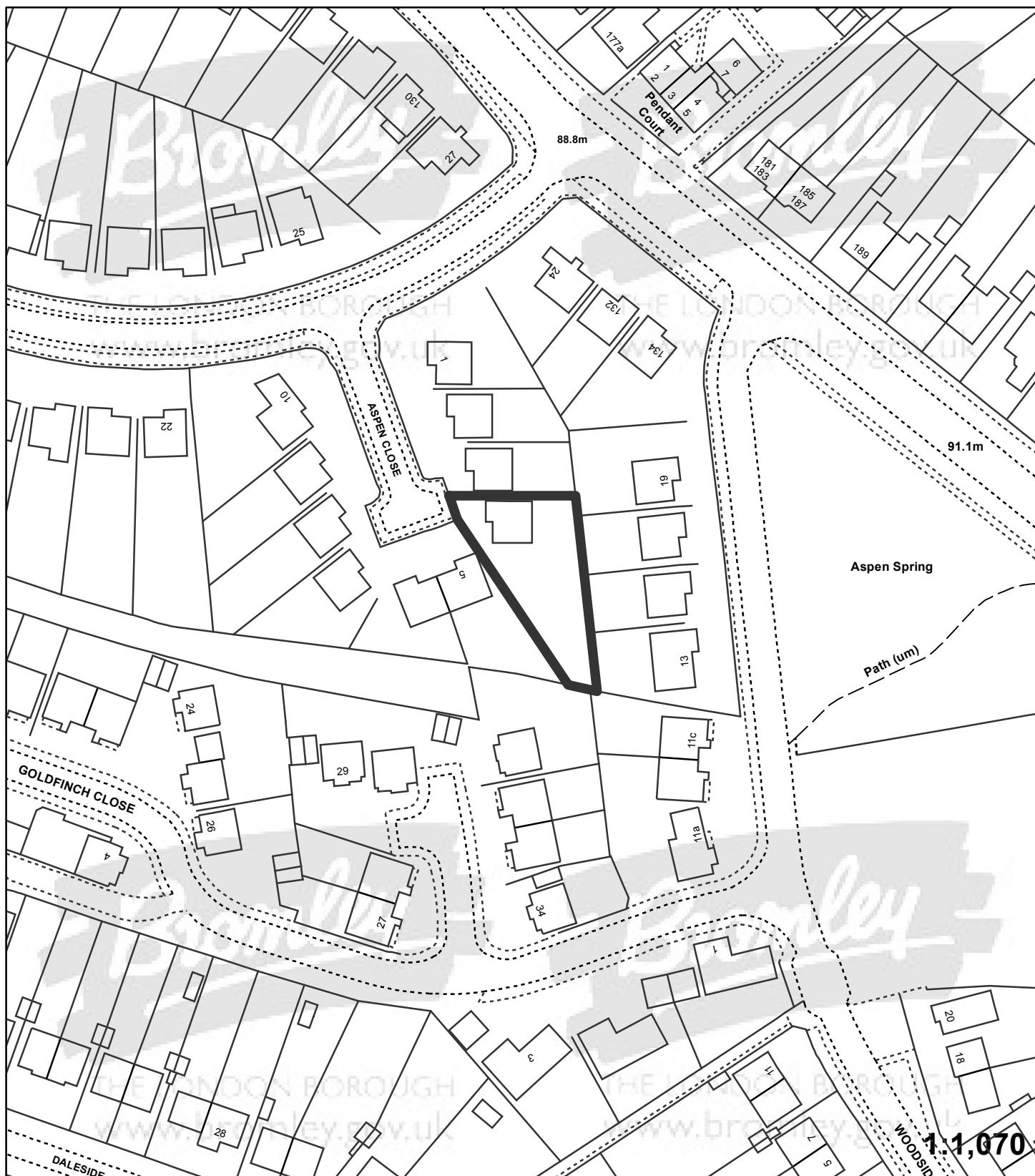
Subject to the following conditions:

- | | | |
|---|--------|--------------------------------|
| 1 | ACK01 | Compliance with submitted plan |
| | ACC01R | Reason C01 |

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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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