

SECTION '2' – Applications meriting special consideration

Application No : 14/01464/FULL6

Ward:
Shortlands

Address : 2 Rosemere Place Shortlands Bromley
BR2 0AS

OS Grid Ref: E: 539192 N: 168287

Applicant : Mr & Mrs O'Hara

Objections : YES

Description of Development:

Single storey side and rear extensions

Key designations:

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

Proposal

The application proposes to construct a single storey rear side extension 2.7m wide and 11.35m deep in depth of rearward projection. It would be located around 2.9m (reducing to around 2.2m) from the flank boundary of the rear gardens of No's 52 and 54 Kingswood Avenue.

The application also includes the construction of a 4.4m deep rear extension, 3.25m wide. Both extensions would have pitched roofs with eaves at 2.6m high and an overall ridge height of 3.8m.

Surface water management strategy has been submitted as part of this application. This strategy has indicated the use of an underground storage within the site.

A detailed report on the oak on the adjacent land has also been submitted.

Both reports are available to view on the file.

Location

Rosemere Place was constructed as a residential development of 9 houses constructed to the rear gardens of 42 Kingswood Avenue and 51 - 63 South Hill Road. Number 9 is located at the southern end of Rosemere Place adjacent to the rear garden of 49 South Hill Road.

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Comment from Local Residents

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

The construction of extension of this nature is unnecessary and the proposed elevations will be too close to neighbouring fences and gardens, causing a loss of privacy and amenity.

There are also issues about the flooding in neighbouring back gardens in Kingswood Avenue which has worsened since a substantial oak tree was removed to enable these houses to be built.

The proposed side extension brings the house within a few feet of this tree and we are very concerned about the possibility of damage to the root system which could compromise the health of the tree and consequently becoming a danger to the house.

2 Rosemere Place is built adjacent to my back fence. This has spoilt the outlook from the back of my house including my conservatory and sitting room. The proposed extension will reduce my lack of privacy still further. I will be directly overlooked by the two downstairs windows proposed

The water table in these gardens is very high as the construction of the new development has removed the soakaway from the stream. This is much worse than it was before the development creating a lake at the bottom of my garden after heavy rain. The laying of more foundations and a path will only exacerbate this problem.

The foundations for the extension are likely to disturb the roots of some very large trees, one which has a preservation order, at the bottom of my and my neighbours' garden, with the danger that the trees could fall and cause considerable damage to our properties, including 2 Rosemere Place, as well as the summerhouse at the bottom of my garden, adjacent to the fence.

In summary the house is already too close to my property, and the extension will only exacerbate this, leaving an unacceptably narrow gap between the walls of the extension and the back fence.

The full text of correspondence is available to view on file.

Comments from Consultees

The drainage officer advises that the initial geotechnical report carried out by Knapp Hicks & Partners LTD concluded the poor permeability of the soil and the use of soakaways is deemed impractical, we then ask the applicant to consider

other options to dispose of surface water run-off like rainwater harvesting or an underground tank.

A subsequent report has indicated the use of an underground storage within the site.

Any further comments from the council's drainage engineer will be reported verbally.

In terms of the tree officers comments. Drg ref. 2180-14-200 shows a reduced area of disturbance as it relates to the RPA of the protected oak tree. If constructed in accordance with BS 5837 principles and under the supervision and input of the applicant's consultant, I would raise no further concerns.

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)

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

Planning History

Planning permission was granted at appeal (Ref: APP/G5180/A/07/2054389) in July 2008 for the demolition of 42 Kingswood Avenue and the erection 5 four bedroom detached houses with attached garages and two detached four bedroom houses with detached garage buildings and two 5 bedroom detached houses with attached garages and associated estate road.

The successful appeal followed two unsuccessful appeals (Ref: APP/G5180/A/06/2016442 and 2016443) for similar developments on the site. In allowing the 2008 appeal the Inspector referred to the fact that the revised proposal incorporated hipped roofs with lower pitches and no rooms in the roof. He considered that the design would substantially reduce the bulk and massing, on plots 3 to 9, from what was previously proposed. Following the revisions to the scheme, the Inspector concluded that the proposal would not be overbearing or harm the living conditions of adjacent dwellings in terms of noise, disturbance, or outlook.

The Inspector also imposed a planning condition removing Permitted Development Rights, to ensure that the impact of any future proposals for extensions to these properties on the amenities of adjoining properties can be properly considered.

A subsequent planning application (Ref: 09/01048/FULL1) was granted planning permission in July 2009. The proposal comprised of 7 four bedroom and 2 three bedroom houses with plots 6 and 7 being the three bedroom units. This proposal

included a slight reduction in the size of some of the residential units granted under Ref: APP/G5180/A/07/2054389.

An application (Ref: 09/01048) was also subsequently submitted and approved for an amendment to the above application including; tiling, render, low level roof pitch.

Conclusions

The main issues relating to the application are the effect that it would have on the character of the area, the impact that it would have on the amenities of the occupants of surrounding residential properties, impact local drainage/ flooding issues and the tree.

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.

It is noted that the extensions are single storey. The properties in Kingswood Avenue have rear gardens to the boundary of the application site in the region of 30 metres in length. The height of the side extension being 2.6 metres nearest the boundary with Kingswood Avenue with the height of the extension increasing to 3.8 where it touches the host property.

The orangery element is separated from the other properties in Rosemere Ave by the existing access road. Overall members may consider that the impact of the extensions on the adjacent residents and the surrounding area is not unduly harmful.

The Tree officer is satisfied that the additional information shows a reduced area of disturbance as it relates to the RPA of the protected oak tree. If constructed in accordance with BS 5837 principles and under the supervision and input of the applicant's consultant there would be no further concerns.

In terms of drainage, an additional report has indicated the use of an underground storage within the site.

On balance, and having had regard to the above it was considered that the siting, size and design of the proposed extensions are 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.

as amended by documents received on 13.11.2014 17.02.2015 26.03.2015
11.08.2015

RECOMMENDATION: PERMISSION

Subject to the following conditions:

1 The development to which this permission relates must be begun not later than the expiration of 3 years, beginning with the date of this decision notice.

REASON: Section 91, Town and Country Planning Act 1990.

2 Unless otherwise agreed in writing by the Local Planning Authority the materials to be used for the external surfaces of the development hereby permitted shall as far as is practicable match those of the existing building.

REASON: In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of the appearance of the building and the visual amenities of the area.

3 The development hereby permitted shall not be carried out otherwise than in complete accordance with the plans approved under this planning permission unless previously agreed in writing by the Local Planning Authority.

REASON: In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of the visual and residential amenities of the area.