

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

Application No : 15/05149/FULL6

Ward:
West Wickham

Address : 21 Boleyn Gardens West Wickham BR4
9NG

OS Grid Ref: E: 537835 N: 165510

Applicant : Mrs Ayse Bolsoy

Objections : YES

Description of Development:

Single storey front, side and rear extensions (Retrospective Application)

Key designations:

Biggin Hill Safeguarding Area
London City Airport Safeguarding
Open Space Deficiency
Smoke Control SCA 51

Proposal

The application seeks retrospective planning permission for single storey front, side and rear extensions.

Front Extension

The proposed front extension will have a depth of 1.2m, a width of some 5.68m, a height to the eaves of 2.35m and an overall height to the pitched roof of 3.38m.

Side and Rear Extensions

The proposed single storey side and rear extension will have a width of some 7.85m, a height to the eaves of 2.55m and height to the pitched roof of 3.45m. In terms of depth, the side extension is formed on the western elevation of the host property extending beyond the existing two storey side extension and will have an overall depth of 4.4m. The rear extension will extend beyond the original structure at a depth of some 3m.

The application site is a two storey semi-detached property located on Boleyn Gardens, West Wickham.

Consultations

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

- o The applicant was under the impression that the development was within permitted development rights, however even if that had been true the owner did not carry out the statutory notification required to be made to neighbours under the Council's permitted development rules. (There is no statutory requirement for this)
- o Neighbouring properties request that this application not be determined until an application for the works undertaken to the roof are submitted whereby both application can be considered simultaneously or one application is submitted to cover all the works. (There is no requirement to do this although a separate application has been submitted)
- o A number of submitted drawings are incorrectly drawn when compared to that constructed
- o The proposed elevation alterations and extensions are out of character with the surrounding area and do not respect the host dwelling rendering the proposals contrary to Policies H8 and BE1 and adopted Supplementary Planning Guidance (SPG) and Paragraph 58 of the NPPF
- o The dormer window constructed is not of the size and design appropriate to the roofscape and therefore contrary to policy BE1 of the UDP.
- o The dormer will affect the amenities of the neighbouring properties at Nos. 19 & 23
- o The property has been extended without planning permission
- o The planning application needs to be considered in conjunction with the roof extension
- o The development results in a terracing affect
- o The development is an eye-sore
- o The ground floor extension exceeds the original rear and side wall of the property, blocking light into neighbouring premises (19 Boleyn Gardens) and is large and unsightly
- o The roof extension is out of character with the surrounding area and impact on privacy for neighbouring houses and gardens
- o The development is an over-development for a semi-detached house of this size
- o The application is incomplete as it only details the single storey front, side and rear extensions.
- o Planning application DC/14/00788/FULL6 for number 7 Boleyn Gardens which was for a similar proposal was refused.
- o If the current application is approved this would set a precedent for future development within the Borough
- o The neighbouring property at number 23 Boleyn Gardens does not object to the single storey rear element of the application
- o The objector points out that there is an error with the existing ground floor plan
- o The development exceeds 50% of the floor area of the original house
- o No provision for off street parking is being made in proportion to the vastly increasing living accommodation

- o The loft conversion has been omitted from this application despite being an integral part
- o The property has been completely over developed with no consideration given to the neighbours
- o The size and structure of the first floor extension is totally out of character with other extensions that have been carried out over the years in Boleyn Gardens.
- o The loft conversion is in excess of the permitted development rights for a 3 bed semi.
- o The distance from the boundary for a double storey extension is much less than the 1 metre limit.
- o The single storey extension is in excess of 3 metres from the rear of the existing side extension
- o The extensive building works are extremely detrimental to the surrounding houses and area
- o By permitted the first and second floor works this will set a precedents for other such extensions in the area
- o The owner has had little regard for the proper processes and consideration for the area, neighbours and the planning laws at this property
- o The roof alterations would effectively create a third floor
- o Some aspects of the development are 'considered' illegal
- o The extension is unsightly which does not meet with planning regulations
- o The resulting development would be an invasion of privacy to neighbouring properties
- o The loft conversion is excessive compared with others that have been constructed

It is noted that the objections comments relating to the loft conversion (DC/16/00030/FULL6) will not be considered a material consideration in regards to the current application, which is for a proposed single storey front, side and rear extension.

From a Highways perspective no objection was raised.

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

General Design Principles- SPG1
Residential Design Guidance- SPG2

National Planning Policy Framework (NPPF)

Planning History

16/00030/FULL6 – Loft Conversion - Application received

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.

Development in principle

The application seeks planning permission for a single storey front, side and rear extension. As noted above this application does not include the retrospective planning application for the loft conversion (ref: DC/16/00030/FULL6).

It is considered that the proposed development as a whole is compliant with Policies BE1 and H8 of the UDP. The proposed scale, form and materials would respect the amenities of the surrounding properties and the character of the area and that of the host dwelling.

Single storey front extension

It was noted from the site visit and recent planning history along Boleyn Gardens that a number of properties benefit from single storey front extensions. Most recently the property at number 7 Boleyn Gardens, (ref: DC/14/02064/FULL6). The case officer stated for that application that the front single storey element of the application was 'not considered to cause any detrimental impacts to the host dwelling or character of the area in general'. It is considered in this instance that the proposed front extension would not have any significant effects to public amenity or detract from the street scene, given the proposed depth of 1.2m, compliant with Policy BE1 of the UDP.

In regards to the loss of a parking given the conversion of the garage, the Highways officer has indicated that there is enough space available within the site's curtilage, which could be utilised for parking.

Side and rear extensions

The single storey side and rear element of the proposal is considered to be acceptable. It is felt that the proposed side and rear extension would not be out of keeping with the surrounding area nor would the extension cause a significant loss of amenity to neighbouring properties.

A number of objections, although predominately in relation to the roof alterations, state that the proposed extensions are out of character with the surrounding area and do not respect the host dwelling or the surrounding area, contrary to policies H8 and BE1 of the UDP and the NPPF.

However, a number of planning applications have been permitted along Boleyn Gardens for proposed single storey side and rear extensions, including, at 7 Boleyn Gardens.

Although the first planning application received by the Council was refused, it was considered that the proposed single storey element with a depth of 3m and height of the pitched roof of 3.85 was acceptable. As a result this section of the proposal was not amended in the follow up application, which was permitted under ref: DC/14/02064/FULL6.

In relation to this current proposal the side and rear extension would have an overall height of 3.45m, a depth of 4.4m along the western flank elevation, with a rearward projection of 3m. Therefore, it is considered that the single storey side and rear extension is acceptable and would complement the character of the host dwelling and surrounding properties.

In regards to effects to amenities, although it is accepted that there will be a loss of amenity to both neighbouring properties it is not considered to be unduly harmful to warrant refusal. The adjoining property at number 23 Boleyn Gardens has stated that no objection is raised to the single storey rear extension. Whereas the neighbouring property at number 19 stated the 'ground floor extension would exceed the original rear and side wall of the property, blocking light into the neighbouring premises and is also large and unsightly'.

Policy H8 of the UDP states that the design and layout of proposals for the alterations or enlargements of residential properties should respect or maintain space or gaps between buildings. Whilst Policy BE1 of the UDP states the all development proposals will be expected to create an attractive setting where the relationships with existing buildings should allow for adequate daylight and sunlight to penetrate in and between buildings. It is felt that there remains a sufficient level of space between the host property and the neighbouring property at number 19 despite the extension, which respects the amenities of the neighbouring property and any future occupants.

Having had regard to the above it was considered that the development in the manner proposed 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.

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- 1 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.

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.