

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

Application No : 15/04490/FULL6

Ward:
Chislehurst

Address : 13 Waratah Drive Chislehurst BR7 5FP

OS Grid Ref: E: 542886 N: 170981

Applicant : Mr Alex Jackson

Objections : YES

Description of Development:

First floor rear extension.

Key designations:

Biggin Hill Safeguarding Birds Aldersmead Road
Biggin Hill Safeguarding Area
London City Airport Safeguarding
London City Airport Safeguarding Birds
Proposal Sites
Smoke Control SCA 51

Proposal

This application was considered at Plans Sub Committee on the 21st January 2016 and was deferred without prejudice to seek the removal of the rear Juliet balcony. An amended plan was subsequently received by the Council on the 27th January 2016, this shows the juliet balcony replaced with a smaller window which would be 1.3m wide and 1.7m high (which is a reduction from 1.6m wide and 2.8m in height from the juliet balcony). The application has therefore been re-submitted to Plans Sub Committee for consideration.

The previous report is repeated below with the relevant parts suitably updated.

- The proposal involves a first floor rear extension which would be situated over an existing rear extension and would have a rearward projection of 3.5m and a width of 4m.
- The proposed extension would have a pitched roof with a maximum height of 8.4m and gable to the rear.

Location

The application site consists of a three storey detached dwelling on the south side of Waratah Drive. The area is characterised by predominantly detached and semi-detached two storey dwellings.

The application site and the neighbouring dwelling to the east at No. 11, to which the site is attached at ground level by single storey side garages, are positioned further forward in their plots and set back from the rear building line of Nos. 15 and 9 and the other dwellings along this side of Waratah Drive by around 1.8m.

Consultations

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

- o Dwellings in Kings Quarter are modest in size
- o Height and bulk overbearing for neighbours
- o Overdevelopment of the site
- o Proposed rear window significantly larger than existing
- o Glazed doors appear to open outward onto a balcony
- o Overlooking
- o Already significant ground floor extension
- o Densely massed site
- o Juliet balcony is unacceptable intrusive on privacy
- o Could create a precedent in the area
- o Already an uncomfortable and unsatisfactory relationship in privacy between Waratah Drive and Walden Road
- o Lack of trees and vegetation on the site

Comments from Consultees

No comments received

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
H9 Side Space

SPG1 General Design Principles
SPG2 Residential Design Guidance

The National Planning Policy Framework

Planning History

Outline planning permission refused and subsequently allowed on appeal under DC ref. 06/00749/OUT for Demolition of existing college building and students residential accommodation. Erection of Residential Development comprising 251 dwellings with amended vehicular access landscaping and open space OUTLINE APPLICATION. Details pursuant to this outline permission were approved under ref. 07/03764/DET. The site formed part of this residential development.

A non-material amendment was approved under ref. 07/03764 for the re-siting of a number of dwellings including No. 13 Waratah Drive.

Planning permission was granted under ref. 12/03470/FULL6 for a single storey rear extension.

Revised details were permitted under ref. 13/02583/CONDIT Revised details of landscaping and boundary enclosures pursuant to Condition 12 of planning permission ref. 06/00749/OUT

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.

The first floor extension is situated to the west of the rear elevation, aligning with the flank wall and is situated above an existing single storey rear extension, the proposal would therefore not erode any additional space around the dwelling or garden land and it is not considered to overdevelop the site. The extension is built up to the west flank wall and would be around 0.8 m from the side boundary which would technically be in breach of side space Policy H9. The extension would not however extend beyond the side elevation of the property and the existing dwelling sits less than 1m from this side boundary, as a result the extension would not be clearly visible from the street scene and it is not considered to lead to a reduction in the existing spatial standards or lead to any harmful impact on the visual amenities of the area.

The proposal will not result in any reduction in garden land and the property would therefore retain a suitable rear garden and the proposal is not considered to overdevelop the site. The pitched roof of the extension would be stepped down by 0.8m from the ridge height of the main house and will be in context with the host dwelling, therefore the character of the house and wider area would not be compromised.

The proposal would have a depth of 3.5m to line up with the existing single storey rear extension and would have a window in the rear elevation which would be larger than the existing first floor rear windows. The rear garden of properties on Waratah Drive are modest for the size of the properties and the rear building line of the proposed extension would be around 10.5m from the rear boundary of the site which would provide a sufficient level of separation from the rear boundary. Furthermore, the gardens of properties on Walden Road are considerably larger in length with distances of between around 18-19.5m and the boundary between the site and the properties on Walden Road is tall and composed of a low brick wall

and closed boarded timber fencing with further screening provided by interspersed tall vegetation which would screen views between these properties to some extent and mitigate the impact of the increased depth at first floor level and any additional overlooking.

The site and the houses on Walden Avenue are in close proximity and a degree of mutual overlooking is already experienced with the opposite neighbours at Nos. 36 and 38 Walden Avenue. Furthermore, the proposal would have a significantly larger window in the rear of the extension than the existing first floor rear windows which are small. Having said this, the depth of the rear garden and distance between the site and Nos. 36 and 38 Walden Road (opposite) of over 28m is considered to provide a sufficient level of separation to mitigate the depth of proposal and, on balance, it is not considered to result in any significant additional overlooking over and above the current mutual overlooking between these adjoining neighbours and no seriously harmful loss of privacy or any significant loss of residential amenities to the adjoining neighbours would result to an extent to warrant a refusal of the application.

The proposed extension would have a pitched roof with an eaves height of 6.3m and depth of 3.5m along the common side boundary shared with No. 15 which is significant considering it is a first floor extension and the proximity to the boundary. However, No. 15 has a separation of 1.7m from the host dwelling and is set further back than the property on the site and therefore the rear projection beyond this neighbour would be only 1.8m which would lessen the visual impact on this neighbouring property. Additionally, the roof of the extension would be stepped down by 0.8m from the original roof which would reduce the bulk of the extension. Having said this, the first floor extension would be within close proximity to the site boundary shared with No. 15, with a separation of 0.8m, and this neighbour has first and second floor rear window which would be near to the proposed extension. On balance, by reason of the siting of No. 15 being further back than No. 13 on the site by 1.8m which would make the proposal visible only very obliquely from the rear windows of this neighbour and considering the roof being stepped down from original roof height, the proposal is not considered to have any harmful visual impact on No. 15 and no serious loss of amenity would result.

An amended plan was received on 27th January 2016 to replace the previously proposed Juliet balcony and double glazed doors in the rear elevation of the proposed first floor extension to a window of 1.3m in width and 1.7m in height.

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 loss of amenity to local residents nor a harmful impact on the character of the area. It is therefore recommended that Members grant planning permission.

as amended by documents received on 27.01.2016

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 flat roof area of the existing building shall not be used as a balcony or sitting out area and there shall be no access to the roof area.

Reason:In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of the amenities of the adjacent properties.

4 No windows or doors additional to those shown on the permitted drawing(s) shall at any time be inserted in the flank elevation(s) of the extension hereby permitted, without the prior approval in writing of the Local Planning Authority.

Reason:In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of the amenities of the adjacent properties.

5 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 and H8 of the Unitary Development Plan and in the interest of the appearance of the building and the visual amenities of the area.