

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

Application No : 15/05656/FULL6

Ward:
Petts Wood And Knoll

Address : 5 Novar Close Orpington BR6 0XA

OS Grid Ref: E: 545895 N: 166640

Applicant : Mr Ashley Smith

Objections : YES

Description of Development:

Single storey side extension. Replacment garage with covered porch.

Key designations:

Biggin Hill Safeguarding Area
London City Airport Safeguarding
Smoke Control SCA 4

Proposal

This detached two storey dwelling is located at the southern end of the cul-de-sac, and lies adjacent to No.3 Novar Close to the north, and backs onto 11 Irene Road to the east. It currently has a garage within a small block of 3 garages located immediately to the west of the site, and is at a lower level than the main house.

It is proposed to add a 7.6m wide single storey side extension to the southern side of the dwelling. The site of the proposed extension includes land which currently forms part of the curtilage of No.9 Irene Road where a development for 2 houses is near to completion. A Certificate B Notice has been served on the owner of the adjoining land.

It is also proposed to replace the existing garage with an attached garage set further back with a car port in front. This would require amendments to the steps leading up to No.5.

Consultations

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

- o Proposal still does not provide sufficient information to determine the application and its effects on neighbouring amenity
- o Concerns over drawing dimension being incorrect
- o Effect on privacy and enjoyment of adjoining rear gardens
- o Application should truly reflect what is proposed

- o Floor area is larger than previous plan and will take up more land
- o Will invade privacy more
- o Still overdevelopment as right up to the boundary
- o Area is already substantially developed by two buildings at 9 Irene Road
- o Proposed window would overlook gardens
- o Would overlook bedroom windows

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
T3 Parking
T18 Road Safety

Highways - the proposal would result in additional off-street parking and should also accommodate cycle parking and as such there is no objection to it from a highway point of view subject to suggested conditions.

Planning history

Planning permission was refused under ref. 15/02770/FULL6 for a two storey side extension and replacement garage with the following reasons for refusal:

1 The proposed two storey side extension would, by reason of its size, bulk, and excessive width, have an overbearing impact on the amenities of neighbouring properties resulting in loss of privacy and outlook, thereby contrary to Policy BE1 of the Unitary Development Plan.

2 The proposed two storey side extension would result in a cramped overdevelopment of the site, detrimental to the character and spatial standards of the surrounding area, thereby contrary to Policies BE1 and H8 of the Unitary Development Plan.

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 proposed two storey side extension would increase the width of the dwelling from 10.6m to 18.2m by using a 3.6m wide strip of adjoining land which is currently outside the ownership of the property, eroding the space to the side of the property. The proposed extension would have a similar width to the previously refused application ref. 15/02770 (with an increase in width by 0.1m) and would be set back 1.1m from the front wall of the dwelling (which would be 0.1m further forwards than the previous proposal). Although the proposal would be similar in footprint to the previous refused scheme, the removal of the entire first floor element would significantly reduce the bulk and amount of development proposed, in addition to limiting its visibility from the public parts of Novar Close. Furthermore, the location of the proposal is set well back from the site frontage and road due to the site being located at the end of the Close and extending into adjoining land which currently forms part of the rear garden of 9 Irene Road. Despite the ground level of the site being higher than the road, the proposed extension would be partly screened by the detached garages of Nos. 5-9 and mature vegetation and trees behind the garages. Therefore the proposal, by virtue of its modest height at 2.6m and by reason of its limited visibility within the street, is not considered to result in a detrimental impact on the character of the area or the visual amenities of the local area.

The proposal would not extend beyond the rear elevation of the house and the site would retain a rear garden with a depth of 9m and width of between 18.3m and 14m which is considered sufficient rear amenity space for the size of the property and the proposal would therefore not overdevelop the site. The reduction from a two storey extension (ref. 15/02770) to the current proposal for a single storey rear extension is considered to overcome the previous reasons for refusal and is no longer considered to result in a detrimental impact on the spatial standards of the area as a result of the reduction of the bulk proposed from the previous application ref. 15/02770.

With regard to the impact on nearby residential properties, No.5 is set at a significantly higher level than No.16 Sequoia Gardens to the west and would extend onto land immediately to the rear which is currently within the development site at No.9 Irene Close. The extension would be set 15.5m away from the rear elevation of No.16 and the proposal would now only involve a single storey as opposed to two storey extension refused under ref. 15/02770, where it was considered that the proposed first floor bedroom window in the front elevation would partly overlook this property and garden. The boundary to the rear of No. 16 Sequoia gardens is well screened therefore limiting the visibility of the proposed extension; in addition, the proposal would have a flat roof with a height of 2.6m which is modest and would further reduce its visibility from this neighbouring property. Therefore, the proposed extension is considered to have overcome the previous reason for refusal in respects of the impact on the residential amenities of No. 16 Sequoia Gardens.

The proposed garage and car port would be located in a similar position to the existing garage, although it would extend slightly further to the side and rear, with the front of the garage set back behind the car port. It would be of a flat roof design to match the existing garages, and would not appear cramped nor out of character

with the street scene. The Council's Highway Engineer has confirmed that the parking arrangement is acceptable.

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 a detrimental impact on the character of the area.

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 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order amending, revoking and re-enacting this Order) no building, structure or alteration permitted by Class A, B, C, or E of Part 1 of Schedule 2 of the 2015 Order (as amended), shall be erected or made within the curtilage(s) of the dwelling(s) hereby permitted without the prior approval in writing of the Local Planning Authority.**

Reason: In order to prevent an overdevelopment of the site and in order to comply with Policies BE1 and H8 of the Unitary Development Plan and in the interest of the character of the host dwelling and visual amenities of the area.

- 4 The extension hereby permitted shall be used for purposes incidental to the dwelling, and shall not be used for living accommodation or severed to form a separate self-contained unit.**

Reason: In order to comply with Policy H8 of the Unitary Development Plan, to ensure that the accommodation is not used separately and unassociated with the main dwelling and so as to prevent an unsatisfactory sub-division into two dwellings.

5 The flat roof area of 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 of the Unitary Development Plan and in the interest of the amenities of the adjacent properties.

6 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 appearance of the building and the visual amenities of the area.