

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

Application No : 15/05056/FULL6

Ward:
Petts Wood And Knoll

Address : 67 Dale Wood Road Orpington BR6 0BY

OS Grid Ref: E: 545337 N: 166315

Applicant : Mr D White

Objections : YES

Description of Development:

First floor rear extension

Key designations:

Biggin Hill Safeguarding Area
London City Airport Safeguarding
Open Space Deficiency
Smoke Control SCA 4

Proposal

The application dwelling forms part of a group of six similarly-designed modern detached houses situated toward the southern end of Dale Wood Road, a residential road which was developed intermittently since the 1930s.

The proposed first floor extension will be built above an existing single storey rear extension and project 3.866m in depth and will be 6.628m wide.

Consultations

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

- o Further loss of sunlight and day light
- o Light is already blocked by the buildings of No.67 and trees, the loss of any further light into our living area and our patio amounts to a serious loss of amenity.

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

Planning History:

Under planning ref: 05/04310/FULL6, planning permission was granted for a single storey rear extension and front porch.

Under planning ref: 12/03651/FULL6, a proposal for a first floor rear extension and roof alterations involving an increase in the roof height was refused by the Council (in January 2013) on the following grounds:

"The proposed roof enlargement involving as it does an increase in its ridge height, bulk and depth would be out of character with and detrimental to the visual amenities of the area, thereby contrary to Policies BE1 and H8 of the Unitary Development Plan."

"The proposed extension would, by reason of its bulk and depth, prejudice the amenities of the occupiers of the adjoining dwelling at No 65 by reason of visual impact, thereby contrary to Policy BE1 the Unitary Development Plan."

Under planning ref: 13/00465/FULL6, a proposed first floor rear extension was refused on the following ground:

"The proposed extension would, because of its bulk and depth, prejudice the amenities of the occupiers of the adjoining dwelling at No. 65 by reason of visual impact, overbearing effect and loss of daylight and sunlight, thereby contrary to Policy BE1 the Unitary Development Plan."

More recently, under planning ref: 15/00014/FULL6, a proposed first floor rear extension was refused on the following ground:

"The proposed extension would, by reason of its bulk and depth, prejudice the amenities of the occupiers of the adjoining dwelling at No. 65 by reason of its visual dominance, and loss of daylight and sunlight, thereby contrary to Policy BE1 the Unitary Development Plan."

An appeal was lodged against this refusal however this was dismissed by the Planning Inspector (appeal ref: APP/G5180/D/15/3035932). It was concluded that 'the proposed development would have a detrimental effect on the living conditions of the adjoining occupiers at no.65 in terms of loss of light and outlook and that the scheme would not accord with UDP policy BE1 in this regard.'

Conclusions

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.

This application has been submitted following a previous refusal under ref: 15/00014/FULL6 for a first floor rear extension. The reason for refusal was due to the bulk and depth causing an unacceptable impact to the amenities enjoyed by neighbouring property, No.65. This current application indicates a first floor rear extension with a reduced width. The width of the extension has been reduced by 3.1m to 6.628m, providing 5.8m side space to the boundary with No.65. The depth of the proposal remains the same (3.866m)

From visiting the site it was noted that the side and rear boundary lines currently benefit from established vegetative screening therefore the proposal should not affect privacy or loss of light to neighbouring properties at the rear. The neighbouring property to the south, No.69, is situated further to the rear within the plot therefore the proposal is not considered to impact significantly on the amenities of this property with regards to loss of light, outlook or privacy.

Concerns have been raised regarding the impact on light and outlook for the neighbouring property, No.65, and the case officer visited this neighbouring property during the application process. However it is noted that the reduction in width provides a side space of 5.8m to the shared boundary at first floor level. The depth remains at 3.866m however, given the significant reduction in width and resulting separation with No.65, it is not considered to impact to such a degree that would warrant refusal of the application.

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 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.

4 No windows or doors shall at any time be inserted in the flank elevation(s) of the extensions hereby permitted, without the prior approval in writing of the Local Planning Authority.

REASON: In order to comply with Policies BE1 and H8 of the Unitary Development Plan and in the interest of the amenities of the adjacent properties.