

SECTION '2' – Applications meriting special consideration

Application No : 16/00316/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 extension and single storey rear extension.

Key designations:

Smoke Control Multiple

Proposal

Members may recall that a similar application was presented to committee on the 3rd December 2015 under application 14/01464, Members resolved to grant permission. This application differs from the original in that the side extension adjacent to the Kingswood Avenue boundary has been extended to provide a larger study.

The application proposes to construct a single storey rear side extension adjacent to 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.

A revised 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 revised 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.

Consultations

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

- In our view, 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 submitted FRA carried out by Herrington Consulting Ltd dated 17/02/2015 is acceptable. Please impose standard condition D02 on any approval. This site appears to be suitable for an assessment to be made of its potential for a SUDS scheme to be developed for the disposal of surface water. Please impose Standard Condition D06 on any approval to this application.

In terms of the Tree officers comments. I am satisfied with the contents of the revised report. I would subsequently recommend permission is granted with the following condition applied;

1. The development shall be implemented in accordance with the Arboricultural Survey drawing (AR/3240a/jq) submitted and approved as part of the planning application and under the supervision of a retained arboricultural specialist in order to ensure that the correct materials and techniques are employed.

REASON: To ensure that works are carried out according to good arboricultural practice and in the interests of the health and amenity of the trees to be retained around the perimeter of the site and to comply with Policy NE7 of the Unitary Development Plan.

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.

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 27.04.2016

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 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** Details of a surface water drainage system (including storage facilities where necessary) shall be submitted to and approved in writing by the Local Planning Authority before any part of the development hereby permitted is commenced and the approved system shall be completed before any part of the development hereby permitted is first occupied, and permanently retained thereafter.

Reason: To ensure satisfactory means of surface water drainage and to accord with Policy 5.12 of the London Plan

- 5** No development shall take place until details of drainage works have been submitted to and approved in writing by the Local Planning Authority, and drainage works shall be carried out in accordance with the approved details prior to first use of any dwelling. Prior to the submission of those details, an assessment shall be carried out into the potential for disposing of surface water by means of a sustainable drainage system in accordance with the principles of sustainable drainage systems set out in Annex F of PPS25, and the results of the assessment provided to the Local Planning Authority. Where a sustainable drainage system scheme (SuDS) is to be implemented, the submitted details shall:

i) provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and / or surface waters;

ii) specify the responsibilities of each party for the implementation of the SuDS scheme, together with a timetable for that implementation; and

iii) provide a management and maintenance plan for the lifetime of the development, which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

The scheme shall be implemented, maintained and managed in accordance with the approved details

Reason: To ensure satisfactory means of surface water drainage and to accord with Policy 5.12 of the London Plan