

Application No : 16/04459/FULL6

Ward:
Bromley Common And
Keston

Address : 5 Barnet Drive Bromley BR2 8PG

OS Grid Ref: E: 542292 N: 165727

Applicant : Mr Clive Litchmore

Objections : YES

Description of Development:

Alterations to the rear elevation to include the removal of the existing pitched roof to the single storey rear extension and the formation of a balcony at first floor level with associated obscure glass screening and stainless steel balustrading- PART RETROSPECTIVE

Key designations:

Biggin Hill Safeguarding Area
London City Airport Safeguarding
Smoke Control SCA 22

Proposal

Planning permission is sought retrospectively for alterations to the rear of the property to incorporate a flat roof to the existing rear extension from the previously permitted pitched roof design, (revisions of permissions 13/01511/FULL6 and 15/03450/FULL6, both of which were allowed on Appeal). Along with the formation of a balcony at first floor level, with associated obscure glass screening and stainless steel balustrading.

The proposed balcony will have a width of 5.8m and a depth of 2.7m. The proposed obscure glass screening along the western boundary with No.3 will have a height of approximately 1.7m.

It should be noted that the property has also been extended and now provides accommodation within the roofspace (as seen in the site photographs on the application file). This does not form part of this application and are therefore not shown on the drawings currently under consideration.

The host property is a two storey semi-detached dwellinghouse located on the north side of Barnet Drive, Bromley.

Consultations

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

- We have built a brick wall on our side of the boundary which has effectively screened us from No.5's balcony and therefore restored our privacy as per the images attached.

Neighbouring properties were re-notified on the 12th January after amended plans were received by the Council:

- A pitched roof was never constructed so it is incorrect to say it will be removed- it never existed. Instead a balcony was built.
- We were concerned about our privacy because of the balcony and we emailed the applicant of number 5 about this.
- The applicant said he has no plans to use the space as a balcony.
- We contacted him again about the privacy issue as seen from our bedroom window and he said he was fine with our building of a wall on our property so as to screen us from the balcony.
- Reverting back to the attached drawing this shows a 'new door' opening to the balcony. Therefore it clearly is the intention to use the space as a balcony. This means our whole property including our garden will be overlooked, meaning we will have no privacy at all.

Planning Considerations

The application falls to be determined in accordance with the following policies:

National Planning Policy Framework:

Chapter 7- Requiring Good Design

London Plan:

Policy 7.4 Local character

Policy 7.6 Architecture

Unitary Development Plan:

BE1 Design of New Development

H8 Residential Extensions

SPG1 General Design Guidance

SPG2 Residential Design Guidance

According to paragraph 216 of the NPPF decision takers can also give weight to relevant policies in emerging plans according to:

- The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- The degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF, the greater the weight that may be given).

As set out in paragraph 216 of the National Planning Policy Framework, emerging plans gain weight as they move through the plan making process.

The following emerging plans are relevant to this application.

Draft Local Plan:

The Council is preparing a Local Plan and commenced a period of consultation on its proposed submission draft of the Local Plan on November 14th 2016 which closed on December 31st 2016 (under The Town and Country Planning (Local Planning) (England) Regulations 2012 as amended). It is anticipated that the submission of the Local Plan to the Secretary of State will be in the early part of 2017.

Draft Policy 6 Residential Extensions
Draft Policy 37 General Design of Development

Planning History

00/01157/FULL1-Two storey side extension, single storey conservatory extension to rear and single storey porch to front- Application Permitted- Date issued- 28.06.2000

08/01344/FULL6-Part one/two storey side and rear extensions and single storey front extension- Application Refused- Date issued-06.06.2008

11/02792/FULL6-Single storey rear/side extension with pitched roof- Application Permitted- Date issued-14.11.2011

13/01511/FULL6-Single storey rear extension, part one/two storey front/side extension, and roof alterations- Application Refused- Date issued-14.08.2013- APPEAL ALLOWED- DATE-07/11/2013

15/01502/FULL6-Single storey rear extension, part one/two storey front/side extension and roof alterations (amendment to reference 13/01511 to include two storey bay windows and roof alterations at front)-Application Refused- Date issued- 16.06.2015

15/03450/FULL6-Revision to permission 13/01511/FULL6 for single storey rear extension, part one/two storey front/side extension, and roof alterations to include two storey bay windows and roof alterations at front to hipped design- Application Refused- Date issued-08.10.2015- APPEAL ALLOWED- DATE- 17/02/2016

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.

Design

Policies H8, BE1 of the UDP, the Council's Supplementary design guidance and London Plan Policy 7.4 of the London Plan seek to ensure that new development, including residential extensions are of a high quality design that respect the scale

and form of the host dwelling and are compatible with surrounding development. Consistent with this, the National Planning Policy Framework (NPPF) states that new development should reflect the identity of local surroundings and add to the overall quality of the area.

The existing and proposed alterations would be confined to the rear of the property, not visible from public spaces. As a result, the proposal is not anticipated to have a detrimental impact on the character of the surrounding area or the wider street scene, thus within the limitations of Policies BE1 and H8 of the UDP and 7.4 of the London Plan.

Impact on Residential Amenity

The main concern is the potential loss of amenity to neighbouring residents. Policy BE1 of the UDP and 7.6 of the London Plan seek to ensure that new development proposals, including residential extensions respect the amenity of occupiers of neighbouring buildings and that their environments are not harmed by noise and disturbance or by inadequate daylight, sunlight or privacy or by overshadowing.

Concern is raised over the possible loss of amenity to neighbouring residents by way of privacy caused by overlooking. Amended drawings were received on the 10th January, which show a reduction to the depth of the balcony, along with proposed obscure glass screening to be erected along the western roof/boundary line, at a height of approximately 1.7m.

It is considered that the proposed glass screening will limit the possibilities of potential overlooking and loss of privacy to the first floor windows of the adjoining neighbouring property. Furthermore, it was noted on the site visit that natural screening exists along the adjoining boundary, thus reducing the risk of significant overlooking into the adjoining neighbour's garden.

In addition, the reduction in depth of the balcony is also considered to respect the amenities of the neighbouring property at No.7. The reduction in size of the proposed balcony will prevent the occupiers of the host dwelling using the entirety of the flat roof as a balcony, thus limiting the potential for overlooking. The reduction will restrict any overlooking to 'long views' of No.7's rear garden, rather than 'short views' which would result in a significant loss of privacy to the occupiers of No.7.

In terms of noise and disturbance from the balcony, whilst the balcony is at first floor level and close to the adjoining bedroom window of No. 3, the balcony can only be accessed from a bedroom thereby limiting its potential use, together with the proposed screening and the reduced size on balance would not result in a significant increase in noise and disturbance to the neighbouring occupiers of Nos. 3 and 7 Barnet Drive.

Background papers referred to during production of this report comprise all correspondence on the file ref: 15/03450/FULL6 and 15/01502/FULL6 as set out in the Planning History section above, excluding exempt information.

Summary

Taking into account the above, Members may therefore consider that the development in the manner proposed is on balance acceptable. Whilst it is recognised that the balcony may lead to a degree of overlooking and increased noise and disturbance, it is considered that the revisions made to the proposed balcony would preserve the amenities of neighbouring properties. Moreover, the existing flat roof is not expected to have a detrimental impact on the host building or character of the area.

As amended by documents received on 10.01.2017

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 The use of the flat roof as a balcony/terrace shall be limited to the area identified on the approved plans received by the Council on the 10/01/2017 and the remaining flat roof shall not be used as a balcony or for sitting out at any time**

Reason: In the interests of the amenities of the adjacent properties and to comply with Policy BE1 of the UDP.

- 5 The privacy screening for the balcony 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 and permanently retained as such.

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.