

## **SECTION '2' – Applications meriting special consideration**

**Application No :** 17/00030/FULL6

**Ward:**  
**West Wickham**

**Address :** 18 Hayes Chase, West Wickham  
BR4 0HZ

**OS Grid Ref:** E: 539227 N: 167634

**Applicant :** Mr J Barton

**Objections : NO**

### **Description of Development:**

Part one/ two storey side/rear extension.

Key designations:

Area of Special Residential Character  
Biggin Hill Safeguarding Area  
London City Airport Safeguarding  
Smoke Control SCA 2

### **Proposal**

The proposal comprises a first floor side and two storey rear extension. The first floor element would be positioned above the existing garage at the side which lies in close proximity to the boundary. The first floor extension would incorporate a 1m space to the flank boundary and would be 1.5m wide, set beneath a pitched roof which would have subservience to the main roof. The front elevation of the first floor extension would be set back from the adjacent existing front elevation by approx. 4.5m.

The first floor extension would project for the full depth of the existing single storey garage, having a depth of rearward projection beyond the main rear wall of approx. 4m. No windows are proposed to the first floor north western facing elevation. The south eastern elevation of the extension would face towards the boundary with No. 20 and would incorporate narrow window openings at first floor level which would serve a bedroom. The first floor rear projection would be set approx. 3.2m from the party boundary.

The application comprises a resubmission of a previously refused scheme, with the proportions, design and siting of the extension being as previously proposed. The current application is accompanied by a covering letter which refers to the permission granted at No. 24 Hayes Chase in 2014 for a similar extension, and the plans are annotated with reference to that permission (14/00917).

## **Location**

The application property is a north west facing detached dwelling sited on a plot measuring approx. 9.5m wide by 62m long. The end of the rear garden is covered by an area TPO. The houses on the street are almost all detached. Some of the properties in Hayes Chase have been extended to the side and to the rear.

## **Consultations**

Nearby owners/occupiers were notified of the application and no representations were 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

Supplementary Planning Guidance is also a material consideration in the assessment of the proposals:

SPG1: General Design Principles  
SPG2: Residential Design Guidance

The Council is preparing a Local Plan. A period of consultation on the proposed draft Local Plan (under the Town and Country Planning (Local Planning) (England) Regulations 2012 as amended) ran from November 2016 and closed on December 31st 2016. It is anticipated that the draft Local Plan will be submitted to the Secretary of State in 2017.

Draft policies of relevance to the application comprise:

Draft Policy 6 - Residential Extensions  
Draft Policy 8 - Side Space  
Draft Policy 37 - General Design of Development.

## London Plan

Policy 7.4 of the London Plan relates to local character.

Policy 7.6 relates to architecture.

The National Planning Policy Framework is a material consideration in the determination of the application.

## **Planning History**

Under reference 85/02507 planning permission was granted for a single storey side extension to the detached host dwelling.

Under reference 16/02841 planning permission was refused for a development identical in terms of the design, scale and siting of the extensions on the grounds:

"The proposed first floor extension would, by reason of its excessive rearward projection and proximity to the boundary, have a significantly adverse impact on the residential amenities that the occupants of the neighbouring dwelling might reasonably expect to continue to enjoy and the visual amenities of the area resulting in a loss of prospect and undue visual impact, thereby contrary to Policies BE1, H8 and H9 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.

Under reference 00/00057 planning permission was granted for a similar extension at No. 15 Hayes Chase, albeit with a depth of rearward projection of the first floor element of 2.3m. Under reference 00/02347 planning permission was refused at No. 15 Hayes Chase for an extension with a depth of rearward projection of 3.2m. Permission was refused on the grounds that the first floor extension would have been excessively deep, detrimental to the residential amenities of the neighbouring property at No. 13.

The applicant has referred to a development at No. 24 Hayes Chase as setting a precedent for the current proposal. The planning history of that property is summarised:

### 13/01195

Planning permission refused for a two storey rear and first floor side extension with a rear dormer on the following grounds:

1. "The proposal does not comply with the Council's requirement in respect of two storey development for a minimum 1 metre side space to be maintained for the full height and width of the flank elevation to the flank boundary, in the absence of which the extension would constitute a cramped form of development, out of character with the street scene, conducive to a retrograde lowering of the spatial standards to which the area is at present developed and contrary to Policies BE1 and H9 of the Unitary Development Plan."

2. "The proposed two storey rear extension would, by reason of its excessive rearward projection, appear over dominant when viewed from Nos. 22 and 26 Hayes Chase thereby resulting in overshadowing and loss of prospect seriously detrimental to the amenities enjoyed by the residents of these properties, contrary

to Policies BE1 and H8 of the Unitary Development Plan and Supplementary Planning Guidance 1 and 2."

### 13/02887

A further application for a revised form of the refused proposal, reference 13/02887, was refused permission on the grounds that:

"The proposal does not comply with the Council's requirement in respect of two storey development for a minimum 1 metre side space to be maintained for the full height and width of the flank elevation to the flank boundary, in the absence of which the extension would constitute a cramped form of development, out of character with the street scene, conducive to a retrograde lowering of the spatial standards to which the area is at present developed and contrary to Policies BE1 and H9 of the Unitary Development Plan."

This refusal was subsequently upheld at appeal with the Inspector commenting that the increase in the height of the width, depth and height of the roof would increase the actual and perceived mass of the existing roof and would appear unduly bulky within the street scene. The side element featured a recess/set back of 1.9m from the front elevation.

In dismissing the appeal, the Inspector also disregarded examples of other developments in the area, noting that none were directly comparable.

The rear extensions were considered to not amount for a reason to dismiss the appeal on their own right although they contributed to concerns regarding the impact on the spatial standards of the area. Some loss of light was recognised to No.22.

### 14/00917

Under 14/00917 planning permission was granted by Members of Plans Sub-Committee No. 1 for a revised scheme which incorporated a 5m set back from the main front elevation and amended roof design. A minimum of 1m side space was retained to the flank boundary at first floor level.

It is this application that has been referenced on the submitted drawings as providing a precedent/context for the current application.

It is not considered on balance that the proposed extension would have a significant impact on the daylight/sunlight as a consequence of the siting of the extension in relation to the immediately neighbouring houses. However, it is noted that the proposed 4m depth of rearward projection would lie significantly to the rear of the rear elevation of the neighbouring dwelling at No. 16. This element is unchanged in the current application, having already been considered under reference 16/02841 as being likely to result in the development having an overdominant appearance when viewed from the neighbouring dwelling, from the rear garden and from rear facing windows. That there is a level of separation to the boundary was noted, but this separation at first floor level is only 1m and it was not

considered to adequately mitigate the impact on outlook/visual impact referred to above.

With regards to the impact of the proposal on the visual amenities of the area, the proposal would not provide a minimum side space of 1m for the full height of the flank elevation, being positioned above a single storey element which lies closely adjacent to the boundary. Policy H9 of the Unitary Development Plan states that for proposals of two or more storeys in height a minimum of 1m side space shall be retained for the full height of the flank elevation. The neighbouring property is set over two storeys 1m from the boundary as a consequence of which the proposal would result in a 2m space retained between two storey development on either side of the boundary at first floor with a 1m space at ground floor level.

The visual impact of the proposal on the spaciousness of the area and the distinctive residential quality is mitigated in part by the positioning of the extension 4.5m from the main front elevation and the design including a degree of subservience to the host dwelling. However, at present the existing/retained gaps between dwellings afford views between the dwellings on this side of Hayes Chase towards the group of protected trees at the rear of the row of houses with this view and the gaps between houses contributing to the visual amenities of the area as it is presently developed.

It is noted that on the other side of the road a number of dwellings have been extended in a similar manner to the current proposal in terms of the first floor side element and that permission was granted for an extension at No. 24 (although this was set further back from the main front elevation of the dwelling than the current proposal). It is however a fundamental principle that each case be considered on its merits.

This is a finely balanced case and Members may recall the granting of planning permission for a similar (although not identical) scheme at No. 24. On balance, and taking into account the recent refusal of planning permission for a scheme of identical proportions and siting at the application property it is considered that the impact of the proposal on the visual amenities of the street scene, the area in general and upon the residential amenities of the neighbouring property would be unsatisfactory and that planning permission should therefore be refused.

Background papers referred to during production of this report comprise all correspondence on the file ref(s) 13/01195, 13/02887, 14/00917 and 16/02841 set out in the Planning History section above, excluding exempt information.

## **RECOMMENDATION: APPLICATION BE REFUSED**

### **The reasons for refusal are:**

- 1 The proposed first floor extension would, by reason of its excessive rearward projection and proximity to the boundary, have a significantly adverse impact on the residential amenities of No. 16 Hayes Chase that the occupants of the neighbouring dwelling might**

**reasonably expect to continue to enjoy and the visual amenities of the area resulting in a loss of prospect and undue visual impact, thereby contrary to Policies BE1, H8 and H9 of the Unitary Development Plan.**