

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

**Application No :** 17/00569/FULL6

**Ward:**  
Biggin Hill

**Address :** 144 Sunningvale Avenue Biggin Hill  
TN16 3TW

**OS Grid Ref:** E: 541568 N: 158539

**Applicant :** Mr Phillip Georghoudis

**Objections :** NO

**Description of Development:**

Single storey side and rear extensions, formation of front porch, loft alterations to form habitable space incorporating side dormers and rooflights and associated elevational alterations.

Key designations:

Biggin Hill Safeguarding Area  
London City Airport Safeguarding  
Open Space Deficiency  
Smoke Control SCA 24

**Proposal**

The application proposes a single storey side and rear extension, front porch, alterations to the roof inclusive of a partial rear hip to gable extension and full front hip to gable extension, two side facing dormer windows and roof lights with associated elevational alterations.

The application site is a detached single storey dwelling house on the southern side of Sunningvale Avenue, Biggin Hill.

**Consultations**

Nearby owners/occupiers were notified of the application however no comments were received.

**Planning Considerations**

The application falls to be determined in accordance with the following policies of the Unitary Development Plan (UDP):

BE1 Design of New Development  
H8 Residential Extensions  
H9 Side Space

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 submission of the draft Local Plan to the Secretary of State will occur in the mid part of 2017. These documents are a material consideration. The weight attached to the draft policies increases as the Local Plan process advances.

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

#### Planning history

Under reference 15/02971 an application for the enlargement of the roof to provide first floor accommodation including front and side dormers and single storey rear and side extension, was refused on the following ground:

"The proposal, by reason of its size and massing and, in the absence of a minimum 1 metre side space to be maintained in respect of the eastern boundary, 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, H8 and H9 of the Unitary Development Plan."

Under reference 15/04652 an application for the enlargement of the roof to provide first floor accommodation including front and side dormers and single storey rear and side extension, was refused on the following grounds:

"The proposal, by reason of its size and massing and, in the absence of a minimum 1 metre side space to be maintained in respect of the eastern boundary, 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, H8 and H9 of the Unitary Development Plan"

"The proposal is considered to be overbearing and have an unacceptable impact on the amenities of No.146 Sunningvale Avenue by reason of loss of outlook and prospect. It will result in an unacceptable degree of overlooking to No.146 and is thereby contrary to policies H8 and BE1 of the Unitary Development Plan".

Under reference 16/01128, a lawful development certificate was granted for a single storey side, front and rear extension and roof alterations including hip to gable extension.

Under reference 16/01512 an application for the enlargement of roof to provide first floor accommodation including rear dormer and rooflights, single storey front, side and rear extension was refused on the following grounds:

"The proposal is considered to be overbearing and have an unacceptable impact on the amenities of No.146 Sunningvale Avenue by reason of loss of outlook and

prospect and is thereby contrary to policies H8 and BE1 of the Unitary Development Plan".

"The proposal, by virtue of its design, appears obtrusive and unbalanced within the wider street scene allowing for an incongruent form of development contrary to policies BE1 and H8 of the Unitary Development Plan".

Under reference 16/04490/PLUD, a lawful development certificate was granted for a loft conversion, porch, side extension and rear extension.

## **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 dwelling forms part of a small group of bungalows along Sunningvale Avenue, immediately to the east of its junction with Swievelands Road (the wider streetscene containing a wider array of one- and two-storey houses of varied design). The properties to the west comprise a pair of semi-detached bungalows (Nos. 140 and 142) which maintain a similar building line, whilst the dwelling to the east comprises a detached bungalow (No 146) which is set well back in relation to the application dwelling with its front elevation almost in line with the rear of No 144. In terms of boundary separation, the application dwelling maintains a gap of approximately 1m to the western boundary and 0.7m to the eastern boundary.

In comparison to the scheme refused permission under reference 16/01512/FULL6 the design of the proposal has been modified in order to seek to address the grounds of refusal in the following ways:

- Removal of the barn-hip side extension and replacement with two side facing dormers
- Decrease in separation to the western boundary from 1m to 0m
- Introduction of glazing to the front elevation within the roof space
- Reduction in the width of the ridge extension by 2.5m
- Fenestration alterations

The design of the scheme has been comprehensively changed, with a reduction of height, dormer windows and amendments to the fenestration arrangement.

Policy H9 of the UDP advises that when considering applications for new residential development, including extensions, the Council will normally require the following:

- (i) for a proposal of two or more storeys in height, a minimum 1 metre space from the side boundary of the site should be retained for the full height and length of the flank wall of the building; or

(ii) where higher standards of separation already exist within residential areas, proposals will be expected to provide a more generous side space. This will be the case on some corner properties.

It is noted that the dwelling as proposed is to be sited along the common side boundary with number 142 and retains a separation of 0.7m along the boundary with number 146. The dwelling as existing is a single storey structure however as a result of the roof space accommodation proposed, will increase the habitable accommodation over two floors.

East facing side dormer windows were also proposed within the refused application ref: 15/04652/FULL6, in which the Case Officer noted that the application was 'considered overly bulky and likely to result in a cramped form of development that will result in a retrograde lowering of the spatial standards to which the area is at present developed contrary to H9'. The Officer then went on to state 'As a result of the fact that the existing flank elevation is set within 0.7m to the boundary line, the applicant remains unable to comply with the requirements of Policy H9. The revised proposal seeks to address this by the introduction of dormers instead of a gable, but this is not considered to reduce the bulk or overbearing nature of the proposal sufficiently to address the grounds of refusal'.

It is the case with regard to this application that side facing dormer windows are proposed to the east and west elevations with a front and rear facing hip to gable extensions which would allow for accommodation within the roof space. Whilst the comments of the previous Case Officer are acknowledged, the dormers proposed in this case are set to the rear of the property and there would be no overall increase in ridge height of the application over or above the current maximum. Whilst the ridge is to be extended to provide the additional habitable accommodation, Officers do not consider this to appear overtly overbearing in nature nor result in a cramped form of development given the siting of the neighbouring dwellings away from the host property. As such, Members may consider that whilst the proposed development may be considered technically in breach of H9, the works are not considered to result in any harmful terracing or overdevelopment of the site which this policy seeks to prevent.

## Design

In terms of design, concern was previously raised as to the unbalancing impact of the extensions and the bulk of the proposal exacerbated by the absence of a set down from the ridge and the partial barn hip roof profile. Since this refusal, a lawful development certificate was submitted and approved which included a partial hip to gable extension, side facing dormer windows, rear and side extensions and a front porch. It is acknowledged by Officers that this scheme is the fall-back position of the Applicant and significant weight is given to this within the overall planning balance.

It is noted that the two dormer windows are as permitted under the lawful development certificate however now include a hipped roof profile. The front and side extensions are also as permitted under the lawful development certificates with the inclusion of hipped roof profiles. Whilst side facing dormers are not a

feature of the wider area, given that they can be built out utilising the dwellings permitted development rights, the changes in terms of the roof profiles are considered a betterment aesthetically to that as previously permitted and considered acceptable. Members may also consider that the amendments to the roof profile of the front and side extensions a betterment to the flat roof extensions that could currently be built out. Whilst the hipped roof additions would increase the prominence of the additions to a greater extent, this is not considered to be so detrimental to warrant refusal of the application and are considered of a more holistic appearance with the pitched roof of the dwelling house.

Included within this application that was not considered under the planning certificate is the introduction of a triangular glazing panel within the front elevation of the dwelling. Whilst this feature is unusual, it would match that considered permitted development to the rear of the property and Members may consider that given the variance in the appearance of dwellings along the street scene that the introduction of this is acceptable.

#### Impact on Neighbouring Amenity

No 146 is set significantly further back in its plot than the application dwelling. Whilst No.146 enjoys substantial vegetative screening to the front and eastern boundaries, the screening to the western boundary is more limited. Previous concerns have been raised as to the impact of dormers within the eastern roof slope on the amenity of number 146 in terms of loss of privacy and overbearing impact. Members may note that following the grant of a lawful development certificate, the insertion of a dormer of the size and scale proposed within this application within the eastern roof slope was found to be permitted development, as such given the fall back position of the Applicant, Officers no longer raise concern as to the impact of this.

The application also proposes a front and rear hip to gable extension which is included to increase the usability of the loft accommodation; the rear hip to gable was considered under the previous lawful development certificate and found to be permitted development. Officers note that previous concern was raised as to the impact upon the increased width of the roof on the outlook from number 146, however since the previous refusal the extension to the length of the ridge has been reduced by 2.5m. The front facing hip to gable extension located 9.4m from the front elevation of number 146, which is considered acceptable to prevent any harmful over-bearing. Taking the cumulative impact of the front and rear hip to gable extensions into account, Officers consider that whilst there would be some visual incursion, given the orientation of the dwelling and the fall back position of the Applicant, no objections to this are raised.

In terms of number 142, the main impact of the proposed development would result from the overlooking of the neighbouring side amenity space from the side facing dormer window which is to serve a study and bedroom. However, whilst this would cause a detrimental degree of overlooking, a dormer window of this size and scale was considered under the previous lawful development certificate application and found to be permitted development. Members may therefore consider that the impact from this opening to be acceptable. The extensions, whilst visible from the

rear door of the neighbouring property, are of a sufficient distance away to prevent harm in terms of residential amenity, this is further mitigated by the size and scale of the neighbouring rear amenity space.

The proposed development is considered to have an acceptable impact on the residential amenities of No.146 and 142 Sunningvale Avenue and is now considered to be of an appropriate design and scale compliant with policies H8 and BE1 of the Unitary development Plan.

## **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 Before the development hereby permitted is first occupied the proposed window(s) in the flank elevations shall be obscure glazed to a minimum of Pilkington privacy Level 3 and shall be non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed and the window (s) shall subsequently be permanently retained in accordance as such.**

**Reason: In the interests of the amenities of nearby residential properties and to accord with Policies BE1 and H8 of the Unitary Development Plan**

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

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