

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

**Application No :** 17/01038/FULL6

**Ward:**  
**Petts Wood And Knoll**

**Address :** 9A Irene Road, Orpington BR6 0HA

**OS Grid Ref:** E: 545914 N: 166614

**Applicant :** Mr R Akers

**Objections :** YES

### **Description of Development:**

Outbuilding to rear. RETROSPECTIVE APPLICATION.

### **Key designations:**

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

### **Proposal**

Retrospective planning permission is sought for a detached single storey outbuilding situated in the rear garden. The outbuilding at present measures 12m in width, 4.8m in depth with a height of 2.5m to the eaves and 3.5m to the top of the ridge. The building has been sited 2.05m from the southern boundary and 2.15m from the western boundary. The plans indicate that the rooms are used as a garden/studio room and for storage. Internal and external photographs were taken by the case officer during the site visit which can be seen on the planning file.

It is noted that the property does not benefit from permitted development rights.

### **Location**

The property is sited on the western side of Irene Road and is in a residential area. The property is not listed and not located within a conservation area.

### **Consultations**

Nearby owners/occupiers were notified of the application and representations were received (including from the Knoll Residents Association) which can be summarised as follows:

- outbuilding too big for the site
- rear of the plot and highly visible for residents in Sequoia Gardens and Novar Close
- ugly eyesore

- breach of planning regulations
- permitted developments rights have been removed in order to prevent overdevelopment and protect residential amenity
- retrospective permission should not be granted
- outbuilding should be removed.

## **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

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 draft Local Plan will be to the Secretary of State in mid 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**

Planning permission was granted under ref.14/03673 for the demolition of existing dwelling and erection of 1 five bedroom and 1 four bedroom dwellings. This permission removed permitted development rights for the property.

## **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.

## **Impact upon character and appearance of the area**

The proposal is for an outbuilding to the rear of the property which will be used by the occupiers for purposes incidental to the main house and is of a typical outbuilding style. Ordinarily this type of outbuilding would be permitted development, however these rights were removed as part of the original permission for the new house in 2014 and therefore planning permission is required.

Given it is located to the rear of the property, it is not considered to be detrimental to the character and appearance of Irene Road. The roof plane is slightly visible as viewed from the gap between 14 and 16 Sequoia gardens, given the elevated

position of the site, but it is not considered to result in a significant degree of harm to the character of the area given the limited visibility above the existing rear boundary fence.

### **Impact upon residential amenity**

In respect of the amenities of adjacent neighbours, there have been concerns raised from the resident's association regarding the impact upon the properties in Sequoia Gardens and Novar Close in terms of an overdevelopment of the site and the visual impact.

It is appreciated that due to the slope of the land and the elevated position of the site, the outbuilding will be seen from the properties along Sequoia Gardens. However the maximum height of the building will be 3.5m to the ridge and due to the building being set away 2m from the rear boundary, only the roof plane is visible. Therefore whilst the outbuilding does result in a degree of visual impact on the dwellings in Sequoia Gardens, this is not considered to be so harmful to justify a refusal of planning permission on amenity grounds.

A condition can also be attached to ensure the cabin can only be used for purposes incidental to the main dwellinghouse.

For the reasons discussed above, the outbuilding is considered to be acceptable subject to conditions.

Having had regard to the above members may consider 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 single storey detached building hereby permitted shall only be used for purposes incidental to the residential use of the main house and for no other purpose.**

**Reason: In order to comply with Policies BE1 of the Unitary Development Plan and in the interests of the residential amenities of the area.**