

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

Application No : 17/02099/FULL6

Ward:
Hayes And Coney Hall

Address : 9 Farm Close West Wickham BR4 9JL

OS Grid Ref: E: 539581 N: 165261

Applicant : Miss E Styles

Objections : No

Description of Development:

First floor side/rear extension

Key designations:

Biggin Hill Safeguarding Area
London City Airport Safeguarding
Smoke Control SCA 51

Proposal

The application seeks consent for the construction of a first floor side/rear extension. The proposal would sit above an existing single-storey garage. The extension would measure 5.2m in depth and 4.4m in width. It would project beyond the rear elevation by 2.7m.

Location

The application relates to a two-storey semi-detached residential dwelling, which is located towards the head of a cul-de-sac. The property is situated on a curved part of the road, meaning the boundary tapers inwards towards the highway. The site is located within a residential area and the property benefits from a side garage and off-street parking.

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

SPG 1 General Design Principles
SPG 1 Residential Design Guidance

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 mid- 2017.

Relevant policies

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

Planning History

90/02279/FUL Single-storey side/rear extension Permission 26.09.1990

93/02641/FUL Single-storey rear extension Permission 08.12.1993

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 proposed extension would sit above an existing single-storey side garage. It would also be located to the side/rear of the property; incorporating a 2.7m rear projection. The extension would incorporate a pitched roof; however this would appear detached from the main roof. The overall appearance is somewhat unusual, but this arrangement accounts for its position towards the head of a dead end road and tapering nature of the boundary. It would be set back considerably from the front elevation and the curved nature of the road, tapering plot and set-back from the front elevation would shield much of the development from view within the main street-scene. This arrangement would also ensure a sufficient level of subservience in relation to the main dwelling.

The extension would sit above an existing single-storey garage, which extends up to the shared boundary. Policy H9 normally requires developments of two or more storeys in height to retain a 1m space from the side boundary. The first floor addition would be set back by 1.5m at its narrowest point but this would then become greater towards the rear as the boundary tapers outwards.

In this case, as the extension would be above an existing garage, which goes up to the boundary, it would technically fail the constraints of Policy H9. However, the inspector of a recent appeals decision (APP/G5180/D/17/3169744) at 34 Hayes Chase, which has similarities to the current proposal, made the following observation regarding the Council's application of this policy. It was observed that 'The Council says that the proposal fails the empirical test of the policy, in effect, because the extant ground floor element, which would remain in place, stands on the boundary. The National Planning Policy Framework (the Framework) provides that the government attaches great importance to the design of the built environment. It also says, at paragraph 59, that 'design policies should avoid unnecessary prescription.' I consider UDP policy H9 to be empirically prescriptive as is the Council's interpretation of its requirements, unnecessarily so in my view, not least since the objectives of the policy is capable of being achieved by subjective assessment. Accordingly, in the context of the Framework's paragraph 215, I attribute more weight to the design guidance of the Framework as a material consideration, and to other design-related UDP policies, than the empirical constraint set out in UDP policy H9. Moreover, the presence of the term 'normally' in the body of UDP policy H9 strongly implies, to my mind, a need for discretion in the application of the empirical requirements of the policy, having regard to several factors including the characteristics of the site and its surroundings, the precise nature of the proposal and the objectives of the policy as set out in the explanatory text.'

In this instance the extension is considered to be substantial, however it is not out of proportion with the dwelling or site in general. It is set well back from the front elevation and the specific site characteristics, including the tapering plot, location towards the head of the road and curved nature of the surrounds would ensure a sufficient level of openness

was retained and would prevent any unacceptable terracing. Subject to the use of matching materials the extension is considered to be acceptable.

Neighbouring amenity

The proposed extension would project marginally beyond the rear elevation of the property but this would be set at sufficient distance from the shared boundary with No 10 to not appear overly dominant or intrusive.

The main visual impact would be on No 8, which is located to the north of the application site. This property is set almost at a right angle to the application property due to the location of the dwelling being close to the head of a dead end road. The boundary and plots are narrow inwards towards the road, but then taper outwards towards the rear garden. No 8 has been extended by way of a large side dormer, which due to the location and arrangement of the buildings, faces the side of the application property and partially overlooks the existing garage and rear amenity space. The extension would be set back significantly from the front elevation of the host dwelling but would measure 5.2m in depth. At its narrowest point it would be set back from the shared boundary by 1.2m but this would increase to 5m towards the rear most corner, due to the tapering nature of the plot/boundary. The location of the extension and tapering nature of the plot would prevent the development resulting a significant loss of outlook or being visually overbearing. No windows are proposed within the flank elevation, however windows are proposed within the front and rear of the extension. The front windows would be set close to the dormer windows within the side of No 8, however they would be orientated at an oblique angle, which would prevent any harmful overlooking. This arrangement is considered to be on balance acceptable.

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.