

SECTION '2' – Applications meriting special consideration

Application No : 10/03672/FULL6

Ward:
Plaistow And Sundridge

Address : 16 Wharton Road Bromley BR1 3LF

OS Grid Ref: E: 540706 N: 169777

Applicant : Mrs A Westwood

Objections : NO

Description of Development:

Single storey rear extension
RETROSPECTIVE APPLICATION

Key designations:

Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
London City Airport Safeguarding
London City Airport Safeguarding Birds

Proposal

- The proposal seeks retrospective planning approval for a single storey rear extension at the property. The proposed development has been partially constructed, however the development on site differs to that being proposed under the current application.
- The proposal therefore seeks a depth of 2.5 metres, a width of 2.5 metres, and a slightly sloping roof with a maximum height of 2.25 metres.
- The host dwellinghouse has already been extended to the rear with a single storey extension that extends rearwards and across the width of the entire rear elevation to abut the boundaries of Numbers 14 and 18.
- The structure that forms this proposal is therefore to be located to the rear of the historical extension to the host dwellinghouse, which according to the submitted block plan measures 1.7 metres in depth, leading the overall depth of the existing and current extension measuring 3.9 metres in total.
- A previous application for a single storey rear extension in the same location as the current proposal had a depth of 2.8 metres and a greater width than the current scheme, which was refused and dismissed at Appeal.
- The current application therefore seeks to overcome the issues previously raised.

Location

The application site is located on the western side of Wharton Road and hosts a two storey mid-terraced dwellinghouse, which already benefits from a single storey rear extension.

Comments from Local Residents

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

Comments from Consultees

No consultations were made regarding this scheme.

Planning Considerations

The proposal falls to be considered primarily with regard to the following policies:

BE1 Design of New Development
H8 Household Extensions

Planning History

In terms of relevant planning history, it can be seen that the original host dwellinghouse has been extended to the rear and side of the original rear elevation of the building, however no relevant planning history can be found for this.

More recently, a Certificate of Lawfulness for a proposed development of a single storey rear extension was refused under ref. 04/00732. The reason for this was:

The proposed extension by reason of its cubic capacity does not constitute permitted development under Class A, Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development Order 1995) as amended.

Following this, application ref. 09/00627 was refused for a single storey rear extension for the following reason:

The proposed rear extension when combined with the existing rear extension would, by reason of its excessive rearward projection, have a seriously detrimental effect on the adjoining properties by reason of loss of prospect and privacy which the occupants of those dwellings might reasonably expect to be able to continue to enjoy, contrary to Policies H8 and BE1 of the Unitary Development Plan.

This application was taken to Appeal, where the Inspector dismissed it.

The Inspector made reference to the historical extension and that the proposed extension would be attached to the rear of it, which would 'significantly add to the rear projection of No. 16'. The view was taken that the extension would be evident particularly when viewed from the rear gardens of the adjoining properties. Due to

the considerable size and proximity to the shared boundaries with Nos. 14 and 18, the Inspector considered that the extended building would visually dominate the outlook of the living conditions of the occupiers as it would result in an unacceptable quality of outlook.

The Inspector further stated that whilst it was acknowledged that the views from the rear ground floor windows of Nos. 14 and 18 already include the existing rear extension of No. 16 which is substantial in length and height, and that the rear projections of Nos. 14 and 18, together with existing vegetation, would largely obscure views of the proposed extension when viewed from within the adjoining dwellings, none of these points were considered to diminish the visual impact of the extended building when viewed from the rear gardens of the adjoining properties.

The Inspector disagreed with the Council in terms of the fact that it would not result in a pattern of undesirable development, as each proposal should be considered on its individual planning merits. In addition, the Inspector did not believe that the resulting garden space, if the scheme were allowed, would be insufficient for the future occupiers of the dwellinghouse, nor did they agree that the proposal would appear unduly oppressive to the occupiers of Nos. 14 and 18.

Notwithstanding these comments however, the Inspector concluded that the proposal would be harmful to the living conditions of the occupants of Nos. 14 and 18 as it would result in a significantly poorer quality of outlook, by reason of the visual impact, contrary to Policies BE1 and H8 of the Unitary Development Plan.

Conclusions

Members may consider that the main issues in terms of this case are the effect of the development upon the living conditions of the occupiers of Nos. 14 and 18 Wharton Road, with particular regard to outlook and privacy, and also whether the proposed alterations compared to the previously refused scheme are sufficient in order to allow the current scheme.

The conservatory that is the subject of this application is located on the rear of an existing extension to the host dwellinghouse. The original extension at No. 16 has been extended rearwards and across the width of the entire original rear elevation of the host dwellinghouse, and abuts the boundaries with the adjoining properties, Nos. 14 and 18. The addition of the conservatory to the rear of this therefore, adds significantly to the overall depth of the development on this site.

The Appeal Inspector took the view that due to the considerable size and proximity to the shared property boundaries, the proposal would visually dominate the outlook from the rear garden of these properties, which would be to the detriment of the living conditions of the occupiers, resulting in an unacceptable quality of outlook.

It may therefore be useful to assess the previously refused scheme in relation to the current application, and note the similarities and differences between the two. The previous scheme had a depth of 2.8 metres, whereas the current proposal

appears to have been reduced in depth by 0.3 metres, to a maximum depth of 2.5 metres. In terms of the width, the previous scheme was 3.6 metres, whereas the current proposal has been pulled away from the flank property boundaries to have an overall width of 2.5 metres.

Whilst the overall footprint has therefore been reduced, with the depth being reduced by 0.3 metres and the width being reduced by 1.1 metres, the issue of the structure being located to the rear of an existing extension which is considered to result in a significantly poorer quality of outlook for the occupiers of the adjoining properties remains.

Policies BE1 and H8 of the Unitary Development Plan seek to ensure that development proposals respect the amenity of occupiers of neighbouring buildings, and that any form of enlargement is compatible with development in the surrounding area.

Although the view taken during consideration of the first application (ref. 09/00627) was that the proposal would reduce the length of the resulting garden at No. 16, this was not considered to be an issue for the Inspector during his conclusions. Indeed, nor was it considered by the Inspector that the proposal would set an undesirable pattern for similar development that would harm the character and appearance of the local area, as each case should be determined on its own merit.

The main issues which the Inspector was in agreement with the Council about, was that the proposal would be unacceptable in terms of the visual impact for the residents of the adjoining properties. Members may consider that the visual impact of the current scheme is no less than the previous scheme, as the overall reduction in depth of 0.3 metres may not be considered significant to prevent a detrimental impact upon the amenities of the residents of the adjoining properties, especially when the impact of the proposed and existing extension combined is taken into consideration.

As such, Members may take the view that the proposal, despite being altered in depth and width when compared to the previously refused scheme, remains unacceptable in terms of the rearward projection and the resulting impact upon the visual amenities of the residents of the adjoining properties and therefore should be refused.

Background papers referred to during production of this report comprise all correspondence on files refs. 09/00627 and 10/03672, excluding exempt information.

RECOMMENDATION: PERMISSION BE REFUSED

The reasons for refusal are:

- 1 The proposed rear extension when combined with the existing rear extension would, by reason of its excessive rearward projection, have a seriously detrimental effect on the adjoining properties by reason of loss of prospect and privacy which the occupants of those dwellings might

reasonably expect to be able to continue to enjoy, contrary to Policies H8 and BE1 of the Unitary Development Plan.

Further recommendation:

Members to consider whether enforcement action should be continued to remove the unauthorised structure.

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Proposal: Single storey rear extension
RETROSPECTIVE APPLICATION



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