

PART 1 - PUBLIC

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**Decision Maker:** PLANS SUB COMMITTEE No. 4

**Date:** 18 February 2010

**Decision Type:** Non-Urgent                      Non-Executive                      Non-Key

**Title:** 13 WOODLANDS ROAD, BROMLEY BR1 2AD - ALLEGED  
DEPOSIT OF MATERIAL AND RAISING OF GROUND LEVELS  
IN REAR GARDEN

**Contact Officer:** Tim Bloomfield, Development Control Manager  
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**Chief Officer:** Chief Planner

**Ward:** Farnborough and Crofton

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1. **Reason for report**

Complaints have been received that material has been deposited in the rear garden of this large detached dwelling and the land has been extensively re-contoured. It is alleged that the work has involved substantial engineering operations which has raised ground levels in particular around the site boundaries.

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2. **RECOMMENDATION(S)**

No further action subject to additional landscaping along the side and rear boundaries of the site.

### 3. COMMENTARY

- 3.1 Under planning reference 03/01700 permission was granted on 2 July 2003 for single storey side and rear extensions and rear dormer to existing building (13 and 15 Woodland Road). This permission included the construction of an indoor swimming pool at the rear the property.
- 3.2 The property is a listed building within Bickley Park Conservation Area.
- 3.3 Following a complaint in June 2009 concerning the alleged deposit of waste material in the rear garden a site inspection was made. It is alleged that material including demolition rubble and earth had been excavated to the rear of the house and deposited in the rear garden which had been comprehensively landscaped and re-contoured, in places raising ground levels around the edge of the site above the level of the adjoining gardens. The landscaping includes gravel footpaths, steps, internal brick retaining walls and earth banking around the site boundaries.
- 3.4 The scale of the landscaping works was considered to involve engineering operations which required planning permission and the owner was requested to submit a retrospective planning application.
- 3.5 The owner maintains that the material/spoil from the demolition of a former rear extension and construction of the recent extensions was disposed of rather than being retained and deposited in the rear garden. The owner also maintains that before any works were carried out the rear garden had a significant upward gradient which it is claimed has not been modified to any material extent.
- 3.6 The owner has submitted photographs of the rear garden taken during construction work following the demolition of the former rear extension. The photographs show that former ground levels in the rear garden were generally similar to the present levels, although extensive re-contouring, landscaping and construction work has since taken place. The banking of material around the site boundaries is a matter of particular concern and the owner has agreed to additional tree and shrub planting in order to mitigate any problems of overlooking and loss of privacy.
- 3.7 The Ward Member has stated he had dealings at the site 5-8 years ago when he met the previous owner on the site. He recalls that the garden at that time was in a very unkempt state and was completely overgrown. He also recalls that the garden had a steep incline towards the rear boundary and he was able to look down on the adjoining gardens from the top of the slope. He concludes that the garden levels today are no higher than they were when he visited the site around 2004.
- 3.8 From the available evidence it is concluded that although the appearance of the rear garden may have significantly changed as a result of extensive landscaping works the overall levels have not materially increased. The engineering works appear to be less extensive than initially thought but in order to mitigate concerns about the impact on the amenities of adjoining properties the owner has agreed to carry out additional landscaping around the edges of the site to provide more effective boundary screening.