

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

**Application No :** 11/01531/FULL6

**Ward:**  
Kelsey And Eden Park

**Address :** 7 Whitstone Lane Beckenham BR3 3GY

**OS Grid Ref:** E: 537974 N: 167783

**Applicant :** Mr T Wong

**Objections :** YES

**Description of Development:**

Single storey rear extension

Key designations:

Biggin Hill Safeguarding Birds  
Biggin Hill Safeguarding Area  
Flood Zone 2  
Historic Flooding  
London City Airport Safeguarding  
Ravensbourne FZ2

**Proposal**

The application seeks planning permission for a single storey conservatory extension to the rear of the property which is summarised below:

- the conservatory will replace part of an existing raised decked area set approx. 0.4m from the boundary with No.5 and set approx 2.5m from the boundary with No.9,
- the extension will be 3.5m in depth with a lean to style roof which would have a maximum height of approx. 3.7m to the apex and 2.8m to the eaves (when scaled from the submitted drawings),
- glazing is proposed to the flank elevation (facing No.9) and to the rear allowing for access down to the garden via 3 steps (as shown on the proposed side elevational drawings).

**Location**

The application site comprises a large two storey mid-terraced property located with the Langley Waterside development. The site does not lie within a conservation area or an Area of Special Residential Character.

The area is predominantly residential in character with a mix of two and three storey development. To the rear of the site are three storey town houses in St. Martin's Lane, many of which have conservatories constructed at the time of the original dwellings.

### **Comments from Local Residents**

Nearby owner/occupiers were notified of this application and representations were received from residents in St. Martins Lane (to the rear of the site) concerned with the following:

- planning history has previously refused conservatories at Nos. 3 – 15 including the removal of walls between 3-5 and 7-9 following the issue of an enforcement notice,
- the application drawings do not show steps or a patio extending beyond the conservatory, access will be required down to the garden some 700mm below floor level,
- the floor level of No.7 is considerably higher than that of the properties on the south side of St. Martin's lane and the close proximity of the conservatory and any raised patio to our boundary would be uncomfortable and intrusive on our properties,
- the conservatory would be close to the boundary fence of No.49.

### **Comments from Consultees**

No technical comments have been sought with regard to this application.

### **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

This application has been 'called in' for determination at Plans Sub-Committee at the request of the local Ward Councillor.

### **Planning History**

The estate development of the former Glaxo Wellcome site, South Eden Park Road was originally granted outline permission under ref. 99/03600 for the erection of primary school, residential development at a density not exceeding 65 habitable rooms per acre, associated parking and highway improvements.

Under ref. 04/00374, permission was refused for 1 detached three storey house, 4 two storey terraced houses and garages and 7 three storey terraced houses with integral garages (amended part details pursuant to outline permission 99/03600) and single storey rear extensions to plots 104 – 110 (Revision to approval 03/03149 for single storey rear extensions to plots 104 – 110).

This application was refused for the following reason:

The addition of the rear conservatories would result in an unacceptable loss of privacy and visual amenity to the existing properties to the rear of the proposed development contrary to Policies H.3 and E.1 of the adopted Unitary Development Plan (1994) and Policies H8 and BE1 of the second deposit draft Unitary Development Plan (Sept. 2002).

In addition, it should be noted that under ref. 09/01745 permission was granted for a single storey rear (conservatory) extension to No.3 Whitstone Lane. This conservatory is 3.6m in depth with flank glazing to each elevation. This permission has now been implemented.

## **Conclusions**

The main issues in this case is firstly whether an adequate rear garden remains to meet the reasonable needs of the present and future occupiers of the property and secondly; the impact upon the amenities of neighbouring residents with regard to visual impact, privacy and sunlight.

A number of conservatory extensions exist to the properties at the rear in St. Martins Lane and to No.3 Whitstone Lane and as such, the principle of this form of development would not be out of character.

The proposed conservatory would replace existing decking at a depth of 3.5m and would not project beyond it. Part of the existing decking will remain between the proposed extension and the boundary with No.9. The remaining depth of rear garden would be approx. 13.5m (as shown on the submitted plan) which would be deeper in length compared to the depth of garden to the properties at the rear. It is considered that the conservatory is not of unusual dimensions and would sit comfortably within the plot without upsetting the balance between built development and garden space to meet the needs of the occupants of the property or the wider spatial characteristics of the area.

With regard to the impact upon residential amenity, as stated above there will be a separation of approx. 13.5m to the rear boundary with properties in St. Martins Lane. Since the time of the Council's refusal under ref. 04/00374, the rear boundary between the application site and properties in St. Martins Lane has become quite established with planting and brushwood screening in addition to the existing close boarded fencing with trellis above.

The concerns raised by residents at the rear of the site are acknowledged including the difference in ground levels, however given the established boundary and separation between the properties, Members may consider that on balance, the amenities of the occupiers of these properties would not be seriously affected by reason of visual impact, loss of privacy and natural daylight.

With regard to the adjacent properties at Nos. 5 and 9, the proposed conservatory would be close to the adjoining boundary with No.5. The conservatory would however lie to the east of No.5 and project approx. 2.3m beyond the rear elevation

of that property. No windows are proposed to the elevation facing this property and given the fencing between the properties, hipped roof end design which tapers away from the neighbouring property, it is not considered that the amenities of the occupiers of this property would be harmed.

In addition, No.9 is set back from No.7 when viewed at the rear. The conservatory would be set 2.5m from the common boundary with this property and given the separation and existing boundary arrangement it is not considered that the amenities of the occupiers of this property would be affected by the development.

Background papers referred to during the production of this report comprise all correspondence on files refs. 99/03600, 04/00374, 09/01745 and 11/01531, excluding exempt information.

### **RECOMMENDATION: PERMISSION**

Subject to the following conditions:

- |   |           |  |               |               |
|---|-----------|--|---------------|---------------|
| 1 | ACA01     | Commencement of development within 3 yrs |               |               |
|   | ACA01R    | A01 Reason 3 years                       |               |               |
| 2 | ACC07     | Materials as set out in application      |               |               |
|   | ACC07R    | Reason C07                               |               |               |
| 3 | ACI13     | No windows (2 inserts)                   | western flank | single storey |
|   | extension |  |               |               |
|   | ACI13R    | I13 reason (1 insert)                    | H8 and BE1    |               |

### **Reasons for granting permission:**

In granting permission the Local Planning Authority had regard to the following policies of the Unitary Development Plan:

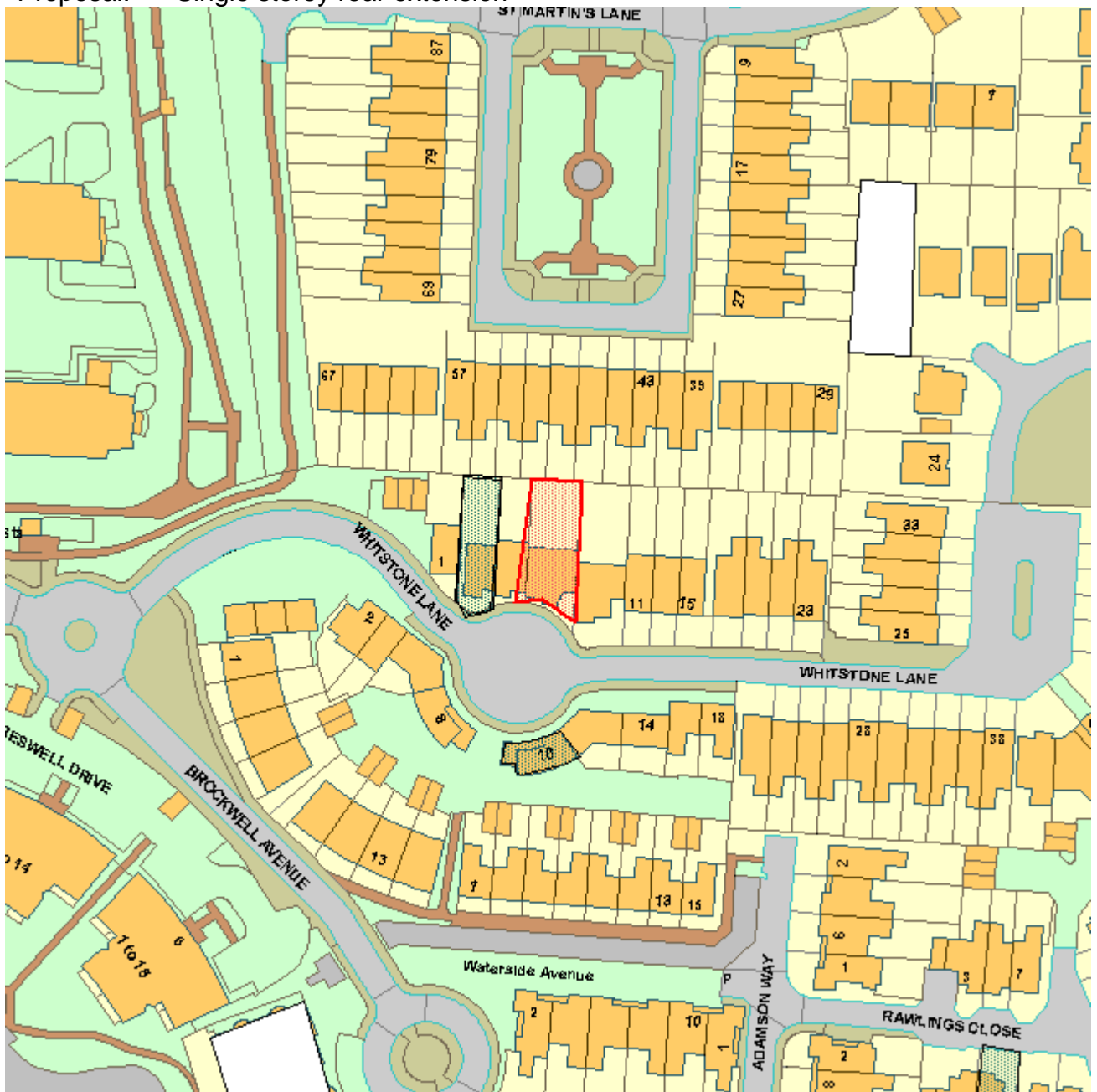
- BE1 Design of New Development
- H8 Residential Extensions

The development is considered to be satisfactory in relation to the following:

- (a) the character of the development in the surrounding area
- (b) the impact on the amenities of the occupiers of adjacent and nearby properties

and having regard to all other matters raised.

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Proposal: Single storey rear extension



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