

SECTION '2' – Applications meriting special consideration

Application No : 12/00276/FULL1

Ward:
Bickley

Address : Little Moor Chislehurst Road
Chislehurst BR7 5LE

OS Grid Ref: E: 542487 N: 169691

Applicant : Mrs A.E. Dutry

Objections : YES

Description of Development:

Demolition of existing buildings and erection of a two/three storey building comprising 8 three bedroom flats and 16 basement car parking spaces

Key designations:

Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
London City Airport Safeguarding
London City Airport Safeguarding Birds
Tree Preservation Order

Proposal

- The proposal seeks to demolish the existing dwelling and outbuilding and erect a two/three storey block comprising 8 three bedroom flats
- Each flat will possess an external balcony area at either the front or rear of the building.
- The block will have a length of 39m and a width of 17.5m. The height will be 11.5m, incorporating a pitched roof with an eaves height of 8.6m. The block will comprise of a two storey aspect towards the front of the site with a height of 7.5m, extending to a three storey block behind. The block will be sited over 30m back from Chislehurst Road.
- The existing access to the site will be retained and widened to provide a 4m wide access onto Chislehurst Road, with a turning head close to the highway and a 3.6m wide access drive to allow cars to pass one another within the site.
- The driveway will lead to the front of the block, where an access ramp will provide vehicular access to the basement level where 16 car parking spaces are proposed, along with a bicycle store and additional storage space.
- A refuse store is proposed towards the front of the site, with a height of 1.9m and dimensions of 4.5m by 2.4m.
- An amenity area is proposed to the east of the block and additional landscaping is proposed to provide screening to the east flank boundary.

Location

The site is located on the northern side of Chislehurst Road, with Bullars Wood School sited to the north. The site currently possesses a detached two storey dwelling. To the west, the property at Kingsmere is a two/three storey block of flats. To the east is a bungalow at No. 45.

The area consists of a mix of development density, including detached residential dwellings and the block to the west of the site. To the east of No. 45 is an open area of land forming part of the grounds of Bullars Wood School.

Comments from Local Residents

Nearby owners/occupiers were notified of the application and representations were received are summarised as follows:

- loss of privacy and overlooking from balconies and flank windows
- loss of light and overshadowing
- excessive bulk, scale and footprint
- overdevelopment of the site
- noise and disturbance
- parking, congestion and general highway safety problems
- parking on Chislehurst Road will affect proposed sightlines
- inadequate car parking provision on site
- inadequate amenity area
- restricted emergency vehicle access
- possible structural issues and subsidence due to the presence of the caves beneath the site and amount of earthworks required
- harmful to the character and environment of the area
- odour from proposed refuse store at front of site
- refuse store prominently and intrusively located

Concerns have been raised by a local Councillor.

Comments from Consultees

No Environmental Health (Pollution) objections are raised, subject to standard contamination informatives. From an Environmental Health (Housing) point of view, no objections are raised and it is suggested that the applicant considers harvesting, storage and recycling of rainwater and greywater for WC flushing and on site irrigation purposes.

From a Building Control point of view, no objections are raised and Building Control is not aware of any caves in the proximity of the site.

The Council's Tree Officer raises no concerns. The protected sweet chestnut at the front of the site is to be retained and conditions are recommended.

Waste Services comments have been received stating that the developer should allow for additional 660ltr containers and one 140ltr food bin.

No technical drainage objections are raised subject to standard conditions.

No Thames Water objections are raised subject to informatives.

The Crime Prevention Officer recommends a secure by design condition to be imposed.

Technical highways comments have been received stating that further information should be submitted regarding the sightlines and further expansion of the submitted Transport Statement in light of the proposed intensification of the use of the site access. This information has been reported back to the applicant and any further information and highways comments will be reported verbally at the meeting.

Planning Considerations

Policies relevant to the consideration of this application are BE1 (Design of New Development), H7, (Housing Density And Design), H9 (Side Space), T3 (Parking), T7 (Cyclists), T18 (Road Safety) and NE7 (Development And Trees) of the adopted Unitary Development Plan.

PPS1 (Delivering Sustainable Development), PPS3 (Housing), PPG13 (Transport) and London Plan Policies in Chapter 3 (Housing) and 5 (Delivering Sustainable Development) are also considerations.

Planning History

Planning applications were granted relating to boundary treatments and a roof enlargement to provide first floor accommodation in 1994 and 1995.

Conclusions

The main issues of consideration in this case are the effect of the proposal on the character of the surrounding area, the impact on the amenities of the occupants of nearby residential properties, the impact on trees, the impact on parking and general highway safety and the standard of the housing accommodation provided.

The proposed block will be significant in both its bulk and scale, and will be visible from Chislehurst Road. The block will be set a significant way back from the highway and this will reduce the visual impact, as will the 7.5m tall, two storey aspects at the front of the block. The site is flanked to the west by a two/three storey block at Kingsmere which is approximately 11m in height at its highest point. It is considered that the proposal would be similar in scale and height to this building, will be set further from the highway than Kingsmere and will reflect the manner in which Kingsmere increases from two to three storeys from front to rear. Having said this, the proposal will provide an addition of bulk and built development

that is significantly larger than the existing bungalow and this will need to be carefully considered in regard to the character and visual amenities of the area.

To the east, the dwelling at No. 45 is a bungalow which is sited in close proximity to the highway. The block will be clearly visible behind this dwelling when viewed from the highway; however it will also be set back significantly from the road (over 30m back from the highway). With the existence of a similar block in close proximity, it may be considered that the street scene would not be harmfully affected. In respect to character, the area is characterised by a mix of development types and therefore the principle of flatted development on the site may not be objected to.

The bungalow at No. 45 would be impacted upon to the rear (north) by the presence of a considerably larger structure. Front balconies are also proposed which may obliquely overlook the rear garden of No. 45. The site currently contains trees and vegetation in this location, much of which will be retained and the proposal includes the provision of further boundary screening to prevent overlooking. On this basis, the relationship may be considered to be acceptable, with no serious loss of light resulting due to the orientation.

To the west, flank windows at Kingsmere, which serve bedrooms and kitchens, will suffer from a loss of outlook due to the presence of the block 9-12m away from these windows. The flank elevation of the proposal facing Kingsmere is proposed to have windows facing Kingsmere which will serve hallways and second smaller windows to some bedrooms. These can be obscurely glazed by condition to prevent overlooking without compromising the standard of accommodation proposed. The proposed bedroom windows set perpendicularly to the main flank wall are not considered to result in direct overlooking to the side windows at Kingsmere.

In terms of the visual impact of the block, the separation of 9-12m may be considered to be sufficient to prevent any serious loss of outlook from the side windows at Kingsmere. The block will be sited to the north east and therefore no overshadowing and loss of sunlight would result. Daylight will also be retained by this separation. This boundary also possesses some vegetative screening and this is considered to help to reduce the impact and will be retained. To the rear of the block, the proposed balconies will be screened from Kingsmere by vegetation, and a landscaping condition can be imposed to provide further boundary screening at this point if necessary. The block will be separated from the dwellings to the rear by almost 40m and this is considered to be sufficient to prevent serious loss of privacy and overlooking.

The proposal provides an area of outdoor amenity area to the eastern part of the site. This area will measure approximately 35m in length and will have a width of between 6m and 15m at its widest point. Although the block will occupy a large amount of the site, it will also sit comfortably within it and may not be considered an overdevelopment. The block will occupy a similar footprint to Kingsmere to the west, which sits on a site of similar dimensions. The amenity area proposed would be somewhat awkward in its shape but may be considered to be adequate in size

for the future residents of the block. The site will retain spaciousness to the front which may be considered to preserve the open character of the area.

The proposed refuse store will be sited at the front of the site and although prominently sited 5m back from the highway, this store will be only 1.9m in height and will not be sited in advance of No. 45. Therefore, its appearance within the street scene may not be considered intrusive or excessively bulky and prominent within the street scene.

The proposed access road will be sited 5-7m away from No. 45 and this property will experience some disturbance from traffic accessing the basement car parking. This separation is considered to be acceptable and is not considered to result in significant additional disturbance to that currently experienced from traffic on Chislehurst Road. The provision of landscaping to the flank boundary will further reduce this disturbance and the relationship of the access road with No. 45 is considered to be acceptable on balance.

From a highway safety perspective, the proposal will result in the intensification of the use of the access to the site. The area becomes heavily parked during certain times of the day largely due to the school adjacent. The applicant has demonstrated that sightlines can be achieved from the proposed access widening and technical comments have been received from the highways engineer requesting an expansion of the Transport Statement to take account of the intensification of the use of the access and to provide further sightline information. The results of this request will be reported verbally at the meeting along with any update to the technical comments.

Having had regard to the above Members may consider the development in the manner proposed to be acceptable in that it would not result in a significant loss of amenity to local residents or impact detrimentally on the character of the area. Members may consider that the proposal would provide suitable standards of accommodation for future occupants. It is therefore recommended that planning permission be granted.

Background papers referred to during production of this report comprise all correspondence on file ref. 12/00276, excluding exempt information.

RECOMMENDATION: PERMISSION

Subject to the following conditions:

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|---|-----------------|--|
| 1 | ACA01
ACA01R | Commencement of development within 3 yrs
A01 Reason 3 years |
| 2 | ACA04
ACA04R | Landscaping Scheme - full app no details
Reason A04 |
| 3 | ACA07
ACA07R | Boundary enclosure - no detail submitted
Reason A07 |
| 4 | ACB16
ACB16R | Trees - no excavation
Reason B16 |
| 5 | ACB18 | Trees-Arbicultural Method Statement |

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| | ACB18R | Reason B18 | |
| 6 | ACB19 | Trees - App'ment of Arboricultural Super | |
| | ACB19R | Reason B19 | |
| 7 | ACC07 | Materials as set out in application | |
| | ACC07R | Reason C07 | |
| 8 | ACD02 | Surface water drainage - no det. submitt | |
| | ADD02R | Reason D02 | |
| 9 | ACD04 | Foul water drainage - no details submitt | |
| | ADD04R | Reason D04 | |
| 10 | ACD06 | Sustainable drainage system (SuDS) | |
| | ADD06R | Reason D06 | |
| 11 | ACH03 | Satisfactory parking - full application | |
| | ACH03R | Reason H03 | |
| 12 | ACH15 | Grad of parking area or space(s) (2 in) car park access | |
| | | ramp 1:10 | |
| | ACH15R | Reason H15 | |
| 13 | ACH19 | Refuse storage - implementation | |
| | ACH19R | Reason H19 | |
| 14 | ACI12 | Obscure glazing (1 insert) in the western flank elevation | |
| | ACI12R | I12 reason (1 insert) BE1 | |
| 15 | ACI17 | No additional windows (2 inserts) western flank | |
| | | development | |
| | ACI17R | I17 reason (1 insert) BE1 | |
| 16 | ACI20 | Lifetime Homes Standard/wheelchair homes | |
| | ADI20R | Reason I20 | |
| 17 | ACK01 | Compliance with submitted plan | |

Reason: In order to comply with Policies BE1 and H7 of the Unitary Development Plan and in the interest of the visual amenities of the area and the amenities of the occupiers of the nearby residential properties.

- 18 The development hereby permitted shall incorporate measures to minimise the risk of crime and to meet the specific needs of the application site and the development. Details of these measures shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of the development hereby permitted, and implemented in accordance with the approved details. The security measures to be implemented in compliance with this condition shall achieve the "Secured by Design" accreditation awarded by the Metropolitan Police.

Reason: In the interest of security and crime prevention and to accord with Policies H7 and BE1 of the Unitary Development Plan.

Reasons for granting permission:

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

- BE1 Design of New Development
- H7 Housing Density and Design
- H9 Side Space
- T3 Parking
- T7 Cyclists

T18 Road Safety
NE7 Development and Trees

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

- (a) the impact on the character of the surrounding area
- (b) the impact on the amenities of the occupiers of adjacent and nearby properties, including light, prospect and privacy
- (c) the spatial standards to which the area is at present developed
- (d) the impact on parking and highway safety
- (e) the impact on trees
- (f) the housing policies of the UDP

and having regard to all other matters raised.

INFORMATIVE(S)

- 1 Before the use commences, the Applicant is advised to contact the Pollution Team of Environmental Health & Trading Standards regarding compliance with the Control of Pollution Act 1974 and/or the Environmental Protection Act 1990. The Applicant should also ensure compliance with the Control of Pollution and Noise from Demolition and Construction Sites Code of Practice 2008 which is available on the Bromley web site www.bromley.gov.uk.
- 2 If during the works on site any suspected contamination is encountered, Environmental Health should be contacted immediately. The contamination shall be fully assessed and an appropriate remediation scheme submitted to the Local Authority for approval in writing.
- 3 With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of Ground Water. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.
- 4 Where a developer proposes to discharge groundwater into a public sewer, a groundwater discharge permit will be required. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Groundwater permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 8507 4890 or by emailing wwriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991.

- 5 Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

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