

**Application No : 10/00214/FULL6**

**Ward:  
Chislehurst**

**Address : 28 Camden Park Road Chislehurst BR7  
5HG**

**OS Grid Ref: E: 542890 N: 170302**

**Applicant : Mr Paul Plummer**

**Objections : YES**

**Description of Development:**

Single storey rear extension with swimming pool and cinema room in basement and roof alterations incorporating two rear dormers

Key designations:

Conservation Area: Chislehurst

Biggin Hill Safeguarding Birds

Biggin Hill Safeguarding Area

London City Airport Safeguarding

London City Airport Safeguarding Birds

**Proposal**

This application was deferred by Members on the 18th March 2010 to ascertain the ownership of the Silver Birch tree and to request information as to how the spoil from the site will be removed.

A Land Registry search was carried out which shows the boundary and is contained in the planning file. The applicant has confirmed that the spoil will be removed from the site and this can be conditioned if permission is granted.

The previous report is repeated below updated where appropriate for Members information

The proposal can be divided into three main elements:

- Single storey rear extension: The ground floor extension will project 4m from the rear wall of the existing dwellinghouse to provide additional floorspace to the existing kitchen/breakfast room, dining room and living room. Balustrade fencing will be built in the middle of the garden around a proposed light well to encompass the escape stairs from the basement.
- Under ground basement: The basement will measure 18.7m deep x 12.8m in width. The basement will be built under part of the house and garden and accommodate a proposed swimming pool, gym, cinema, snooker room, shower, plant room and escape stairs to garden.

- Loft conversion incorporating 2 rear dormers: Two single rear dormer windows are proposed in rear roofspace of the property to provide a fifth bedroom plus en-suite.

## **Location**

The application site is a large detached property located on the southern side of Camden Park Road, Chislehurst. The site also lies within the Chislehurst conservation area.

## **Comments from Local Residents**

Nearby owners/occupiers were notified of the application and one letter of representation was received concerning the impact of the development on the Silver Birch Tree which lies between No.28 and No.30 Camden Park Road.

## **Comments from Consultees**

The Advisory Panel for Conservation Areas (APCA) state that the rear extension should be set back at the junction of external corners of the original house to make a distinction between old and new structures.

Thames Water has no objection to the proposal subject to standard conditions and informative.

The drainage officer has advised that the swimming pool should not be emptied during heavy rain or at times of peak use and the discharge should be made to the foul sewerage system. This is to prevent overloading of the sewer system network.

Building Control has no objections to this proposal so far as building regulations are concerned, subject to structural calculations, damp proofing and party wall agreement.

No comments were received from Environmental Health.

## **Planning Considerations**

The application falls to be determined in accordance with the following policies of the Unitary Development Plan:

BE1 Development and new design  
BE11 Conservation Areas  
BE14 Trees in Conservation Areas  
NE7 Development and Trees  
H8 Residential Extensions

The London Plan

4B.6 Sustainable Design and Construction

4B.7 Respect Local Context and Communities

4A.17 Water quality

### **Planning History**

Under planning application ref. 09/01500, planning permission was refused for a single storey rear extension with swimming pool and cinema in basement. Two rear dormers. New patio and retaining wall at rear plus 2 ancillary single storey detached outbuildings to provide emergency escape and ventilation to basement. The decision notice carried two reasons for refusal which read as follows:

The development would result in an overdevelopment of the site, harmful to the prospect and visual amenities of both neighbouring properties and the character and appearance of the host dwelling by reason of visual impact and loss of privacy contrary to Policies H8, BE1 and BE11 of the Unitary Development Plan.

The proposal would necessitate the severe cutting back of root of trees on the site, which are considered to be of significant amenity value and would result in their loss, thereby harmful to the character and appearance of the conservation area and contrary to Policies BE11 and BE14 of the Unitary Development Plan.

Under planning application ref. 09/ 01454, planning permission was refused for a front extension to garage with storage facility in roofspace.

An appeal (ref: 08/00170/ENF) was allowed for the erection of a wall and gates in excess of 1m in height.

Under planning application ref. 07/00220, planning permission was refused for a two storey rear extension with swimming pool and cinema room in basement/2 rear dormer extension/patio and retaining wall at rear. The application was refused on the 29th October 2007 for the following reasons:

The proposed rear extension, given its scale, height and siting, would result in an overdevelopment of the site, harmful to the prospect and visual amenities of both neighbouring properties by reason of visual impact, loss of light, excessive overlooking and loss of privacy contrary to Policies H8, BE1 and BE11 of the Unitary Development Plan.

The proposal would necessitate the severe cutting back of roots of trees on the site, which are considered to be of significant amenity value and would be likely to result in their loss, thereby harmful to the character and appearance of the

conservation area and contrary to Policies BE11 and BE14 of the Unitary Development Plan.

Under planning application ref. 03/02541, planning permission was granted for a two storey front extension.

## **Conclusions**

The main issues relating to the application are the effect that it would have on the character and appearance of the Chislehurst conservation area and the impact that it would have on the amenities of the occupants of surrounding residential properties.

Following the refusal of the previous scheme (ref. 09/01500) in August last year the applicant has sought to overcome to the two reasons for refusal by removing the two tower structures located in the middle of the garden, which would act as a emergency escape staircase, and re-designing the basement so that it does not fall within the root protection area of the Silver Birch tree and the Maple tree.

The principle of a basement extension is considered acceptable with no objection being raised from any of the consultee bodies (except for standard conditions). Other basement extensions have been granted within the locality. No.1 Camden Park Rd (opposite) was granted planning permission in 2002 (ref. 02/00741).

Members will need to consider whether the two previous grounds of refusal have now been sufficiently overcome to grant planning permission for this new scheme. It may be considered that the conservation area would not be harmed as a result of the development which is entirely to the rear of the property.

With regard to the damage of the Silver Birch tree at No. 30 Members should note that the tree is not worth of statutory protection by virtue of a Tree Preservation Order and no objections were raised when an application to fell this tree in September 2009 was applied for. Given this any impact on the Silver Birch is not considered sufficient to warrant refusal of the application.

The dormer windows are proposed to be built level with the existing ridge line. It is considered that this would lead to a degree of overlooking of No.26 as one of the rooms is proposed to be an additional bedroom but not to such a degree which would be unacceptable.

Overall, it is considered that the removals of the two tower structures are sufficient to overcome the reason for refusal, therefore Members are asked to consider the application given all of the above.

Background papers referred to during production of this report comprise all correspondence on files refs. 10/00214, 09/01500, 09/01454, 07/02220 and 03/02541, excluding exempt information.

## RECOMMENDATION: MEMBERS' VIEWS ARE REQUESTED

- 0 D00002 If Members are minded to grant planning permission the following conditions are suggested:
- 1 ACA01 Commencement of development within 3 yrs  
ACA01R A01 Reason 3 years
- 2 ACB01 Trees to be retained during building op.  
ACB01R Reason B01
- 3 ACB02 Trees - protective fencing  
ACB02R Reason B02
- 4 ACB04 Trees - no trenches, pipelines or drains  
ACB04R Reason B04
- 5 ACB10 Trees - details of protective fencing  
ACB10R Reason B10
- 6 ACB12 Tree - details of excav. for foundations  
ACB12R Reason B12
- 7 ACB18 Trees-Arboricultural Method Statement  
ACB18R Reason B18
- 8 ACC07 Materials as set out in application  
ACC07R Reason C07
- 9 ACK01 Compliance with submitted plan

**Reason:**

- 10 No additional plant equipment shall be allowed above ground level without prior approval of the Local Planning Authority.

**Reason:** In the interest of the amenities of the neighbouring residential properties.

- 11 Details of the swimming pool equipment and the insulation of the plant room shall be submitted to and approved in writing by or on behalf of the Local Planning Authority. The noise resulting from the use of the equipment should not result in an increase of the LAeq (5 minute) when measured within any neighbouring residential curtilage. The installation shall be carried out in accordance with the approved details and shall be permanently maintained thereafter.

**Reason:** In order to comply with Policy 4A.20 of the Mayors Ambient Noise Strategy and PPS24 and in the interest of the amenities of the neighbouring residential properties.

- 12 The swimming pool should only be emptied overnight in dry periods and the discharge rate is controlled such that it does not exceed a flow rate of 5 litres/second into the public sewer network.

**Reason:** In order to prevent the risk of flooding or surcharging.

- 13 A written statement, including plans where appropriate, detailing the proposals for dealing with excavated material shall be submitted to and approved in writing by the LPA prior to commencement of the development hereby permitted. The excavated material shall be dealt with as set out in the approved statement unless otherwise agreed in writing by the LPA.

**Reason:** In the interests of the amenities of adjoining residents and the area in general and to comply with Policy BE1 of the Unitary Development Plan.

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  
BE11 Conservation Areas  
BE14 Trees in Conservation Areas  
H8 Residential Extensions

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

- (a) the relationship of the development to adjacent property;
- (b) the character of the development in the surrounding area;
- (c) the impact on the protected trees;
- (d) the impact on the amenities of the occupiers of adjacent and nearby properties;
- (e) the privacy of occupiers of adjacent and nearby properties;

and having regard to all other matters raised.

#### INFORMATIVE(S)

- 1 A non-return valve or other suitable device to avoid the risk of backflow should be incorporated within the proposal hereby permitted and you are advised to contact Thames Water with regards to this on 0845 850 2777 or email [developer.services@thameswater.co.uk](mailto:developer.services@thameswater.co.uk)

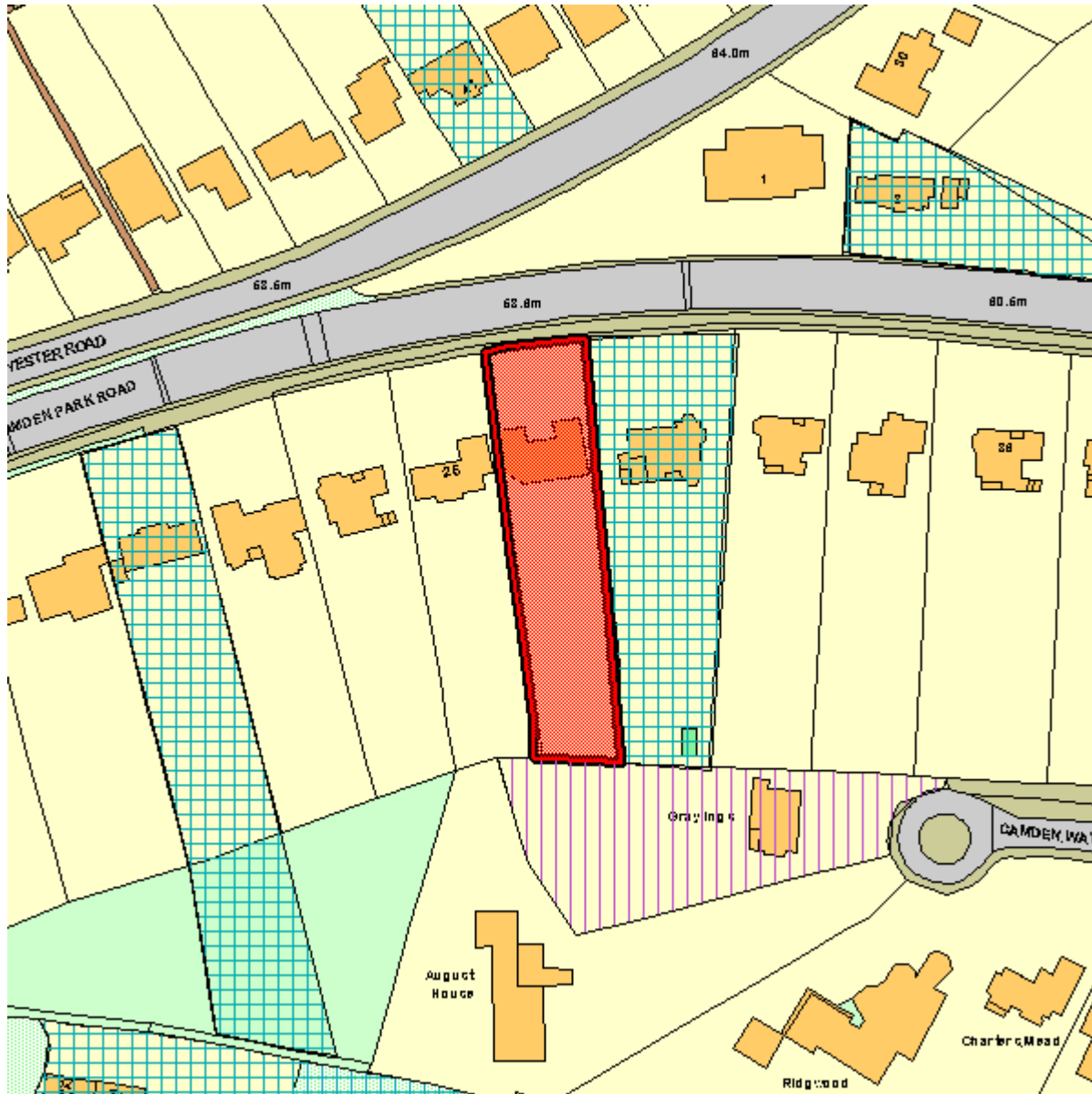
D00003 If Members are minded to refuse planning permission the following grounds are suggested:

- 1 The development would be likely to adversely affect the retention, long-term future and well-being of a mature Silver Birch Tree lying on the boundary between No.28 and No.30 Camden Park Road, which is protected by virtue of its location within the Chislehurst Conservation Area, detrimental to the visual amenities of the locality and contrary to Policies BE14 and NE7 of the Unitary Development Plan.

Reference: 10/00214/FULL6

Address: 28 Camden Park Road Chislehurst BR7 5HG

Proposal: Single storey rear extension with swimming pool and cinema room in basement and roof alterations incorporating two rear dormers



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