

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

Application No : 12/01289/FULL6

Ward:
Chislehurst

Address : Priestfield Watts Lane Chislehurst BR7
5PJ

OS Grid Ref: E: 543926 N: 169823

Applicant : Mr & Mrs Monks

Objections : YES

Description of Development:

Part one/two storey side and rear extension to enclose existing swimming pool and alterations to front and rear elevations

Key designations:

Conservation Area: Chislehurst
Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
London City Airport Safeguarding
London City Airport Safeguarding Birds

Proposal

It is proposed to add a part one/two storey side/rear extension to this property which would enclose an existing outdoor swimming pool adjacent to the western boundary, and add first floor accommodation to the western side of the main house.

The extension would project approximately 13m beyond the rear elevation of the dwelling, and would be 9.455m in width. It would also project to the side to come within 1m of the western flank boundary.

Location

This detached property is located within Chislehurst Conservation Area, and is set back from Watts Lane, sharing an access road with the adjacent property known as Wellwood.

To the west of the site lies a plot of land which is currently being developed for a new dwelling, permission for which was granted in April 2011 (ref.11/00506). A line of trees currently provides a screen between the two sites, and a Tree Preservation Order was recently issued to protect them.

Comments from Local Residents

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

- proposed extension would result in the loss of the tree screen (protected by a TPO) which would be detrimental to residential amenity and the character and appearance of Chislehurst Conservation Area
- previous grounds for refusing the appeal have not been overcome with regard to the loss of the tree screen.

Comments from Consultees

The Advisory Panel for Conservation Areas comments that if the proposals are not now considered to be detrimental to the screening trees, then the recent appeal decision indicates that the proposals should be accepted.

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
BE11 Conservation Areas
NE7 Development and Trees

Planning History

Permission was refused in September 2010 (ref.10/01615) for larger part one/two storey side/rear and first floor rear extensions to this property on the following grounds:

- 1 The proposals, by reason of their overall size, site coverage and close proximity to the side boundaries, constitute a cramped overdevelopment of the site, detrimental to the character and spatial standards of this part of Chislehurst Conservation Area, and thereby contrary to Policies H8, H9, BE1 and BE11 of the Unitary Development Plan.
- 2 The proposed first floor rear extension would, by reason of its excessive rearward projection, have a seriously detrimental impact on the amenities of the occupiers of the adjacent property at Wellwood, through loss of light and outlook, thereby contrary to Policies H8 and BE1 of the Unitary Development Plan.

Permission was refused in June 2011 (ref.11/00775) for a reduced scheme (which is identical to the current proposals) on the following grounds:

- 1 The proposals, by reason of their overall size, site coverage and close proximity to the side boundaries, constitute a cramped overdevelopment of

the site, detrimental to the character and spatial standards of this part of Chislehurst Conservation Area, and thereby contrary to Policies H8, H9, BE1 and BE11 of the Unitary Development Plan.

The subsequent appeal was dismissed in October 2011 on grounds relating to the likely loss of the tree screen adjacent to the new house plot, and the subsequent overbearing impact that the exposed extension would have on the living conditions of future occupiers of a new dwelling by reason of loss of outlook.

Conclusions

The main issues in this case are the impact of the proposals on the line of trees adjacent to the western boundary of the site, on the amenities of the occupants of surrounding residential properties and on the character and appearance of Chislehurst Conservation Area.

The current proposals are the same as the recently dismissed scheme, but have been submitted with a full tree report in order to address the concerns of the previous Inspector with regard to the loss of the tree screen.

In dismissing the previous appeal, the Inspector considered that without evidence to the contrary, the proposals were likely to harm the health and vitality of the line of western red cedar trees resulting in their loss, and that the proposed extension would then appear unduly overbearing and would significantly harm the outlook from the rear habitable room windows and shallow rear garden of the proposed new dwelling on the adjacent plot.

She did however consider that the proposals would not result in any significant loss of amenity to the occupiers of the neighbouring properties at The Orchard and Shalimar, and that the spacious character and appearance of Chislehurst Conservation Area would be adequately protected.

With regard to the tree screen, the Inspector was of the view that although not of significant value to the Conservation Area, the line of trees provided a valuable screen between the two properties. She expressed concern that the foundations of the proposed extension would affect a significant proportion of the tree roots, that the trees could not be adequately protected during construction, and that they would consequently suffer long-term harm.

The tree screen comprises a line of 8 western red cedars and one leyland cypress growing on the adjoining house plot, which have all been graded C and the canopies are merging giving the appearance of a hedge. The Root Protection Areas of the trees would be affected by the digging of foundations, but it is proposed to minimise the impact by carrying out excavation work under arboricultural supervision. As the line of trees is now protected, there would not be any irresistible post-development pressure for works to the trees. It is therefore considered that the applicants have provided sufficient information to ensure protection of the trees, subject to conditions requiring the submission of an Arboricultural Method Statement, and for works to be carried out under arboricultural supervision.

As it has now been shown that the trees would be retained, the proposed extension would be adequately screened from the adjoining house plot and would not appear overbearing nor adversely affect the outlook from the new property and its rear garden, thus protecting the amenities of future occupiers.

Background papers referred to during production of this report comprise all correspondence on files refs. 10/01615, 11/00775 and 12/01289, excluding exempt information.

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- | | | | |
|---|--------|--|--|
| 1 | ACA01 | Commencement of development within 3 yrs | |
| | ACA01R | A01 Reason 3 years | |
| 2 | ACB18 | Trees-Arbicultural Method Statement | |
| | ACB18R | Reason B18 | |
| 3 | ACB19 | Trees - App'ment of Arbicultural Super | |
| | ACB19R | Reason B19 | |
| 4 | ACC01 | Satisfactory materials (ext'n'l surfaces) | |
| | ACC01R | Reason C01 | |
| 5 | ACC03 | Details of windows | |
| | ACC03R | Reason C03 | |
| 6 | ACI12 | Obscure glazing (1 insert) at first floor level in the western flank elevation | |
| | ACI12R | I12 reason (1 insert) BE1 | |
| 7 | ACI17 | No additional windows (2 inserts) western first floor flank extension | |
| | ACI17R | I17 reason (1 insert) BE1 | |
| 8 | ACK01 | Compliance with submitted plan | |
| | ACC01R | Reason C01 | |

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
- BE11 Conservation Areas
- NE7 Development and Trees

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

- (a) the impact on the character and appearance of Chislehurst Conservation Area
- (b) the impact of the development on the amenities of nearby residential properties
- (c) the impact of the development on important trees on the site and the adjacent site

and having regard to all other matters raised, including neighbours concerns.

Application:12/01289/FULL6

Address: Priestfield Watts Lane Chislehurst BR7 5PJ

Proposal: Part one/two storey side and rear extension to enclose existing swimming pool and alterations to front and rear elevations

