

SECTION '2' – Applications meriting special consideration

**Application No :** 13/02880/FULL1

**Ward:**  
**Chislehurst**

**Address :** Lake Cottage Oakwood Close  
Chislehurst BR7 5DD

**OS Grid Ref:** E: 543018 N: 170678

**Applicant :** Maple Properties Limited

**Objections :** YES

**Description of Development:**

Three storey, four bedroom detached replacement dwelling with two car parking spaces to front and refuse and recycling storage area

Key designations:

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

**Proposal**

- Demolition of existing bungalow towards rear of site and detached garage at front of site;
- Three storey, four bedroom detached replacement dwelling;
- Two car parking spaces to front and refuse and recycling storage area;
- The proposed dwelling would be sited towards the front of the site in approximately the same position as the detached garage;
- The front building line of the proposed dwelling would be marginally in front of that of Oak Haven to the north-west;
- At the rear the building would project approximately 4.5m behind the rear part of Oak Haven closest to the site;
- Approximately 4.5m separation would be retained between the side of Oak Haven and the proposed dwelling;
- Approximately 16.5m separation would be retained between the nearest residential accommodation at Lake House and the side of the proposed dwelling;
- 1m side space would be retained between the sides of the building and the two flank boundaries of the site;

- The proposed dwelling is of a modern design with Oak frame, timber cladding, large areas of glazing and a slate clad roof;
- Solar panels are proposed on the south-eastern roof slope;
- A number of trees will be removed at the front of the site.

## **Location**

- The application site currently comprises of a two bedroom single storey dwelling to the rear and a detached garage to the front;
- The site is a narrow infill site between two established residential properties, increasing in width towards the rear;
- There are a number of trees around the perimeter of the site;
- The surrounding development is mainly large detached two storey dwellings on spacious plots, with some evidence of additional accommodation in the roof space;
- The surrounding properties are of varying and architectural styles
- The site is located within the Chislehurst Conservation Area.

## **Comments from Local Residents**

- the building will sit comfortably within the general street scene
- represents a modern architectural design, using natural material of oak framework and cladding that addresses the constraints of the site creatively
- concerned about impact of the height
- no other property in the road is three storeys
- will tower over neighbouring properties
- undesirable height in a Conservation Area, it sets a dangerous precedent for future
- is a greater side space required?
- very squashed into the space available
- glass at front will produce glare and reflection from the property
- this will be exacerbated by removal and reduction of surrounding trees
- light pollution from property when they have internal lights on
- privacy issues
- cutting trees back will make them lopsided and unbalanced and possibly dangerous
- visually unappealing for many trees to be removed or pruned
- out of keeping with character and aesthetics of the road
- does not preserve or respect the surroundings
- does not complement character or appearance of area
- will extend above existing roof lines of properties in road
- excavations for foundations will destroy the roots of surrounding trees
- will directly overlook garden and house
- two storey development more in keeping with neighbouring buildings would not be such an issue
- direct view into back bedrooms from third floor (33 Sandy Ridge)
- overlooking of property, no privacy in back garden or at back of house (35 Sandy Ridge)

- unnecessary to have so many windows
- loss of well-established and significant trees
- will damage visual and natural environment of road
- different architectural style will stand out
- inappropriate design
- removal of trees may cause damage to drains and sewers as there are several large manholes in close proximity to the boundary
- implications of removing tree roots to neighbouring trees
- level of activity and traffic caused by demolition then building of proposed house
- there may be asbestos
- design of new building incongruous in street scene
- too large for size of plot
- out of proportion, cramped, over-developed
- insufficient parking spaces allocated
- no garage parking will lead to parking in road and congestion
- refuse vehicles may have problems
- no site notice was displayed
- notice was not received by many nearby residents
- property will extend to an out of keeping height against adjacent property aspect from the street in to driveway and the front of house
- adjacent garage was restricted in height and width under planning ref.06/04326
- negatively impacts property value
- demolishing Lake Cottage will be detrimental to surroundings
- strongly object to the felling of our trees.

### **Comments from Consultees**

The Advisory Panel for Conservation Areas (APCA) have raised no objections.

The Council's Environmental Health Officer has recommended an informative regarding on-site contamination.

The Council's Drainage Officer has advised that surface water will have to be drained to soakaways and the site seems suitable for an assessment to be made of its potential for a SUDS scheme to be developed for the disposal of surface water.

The Council's Highways Development Engineers have raised no objections but require a construction management plan should permission be granted.

Thames Water has advised that with regard to sewerage or water infrastructure they have no objections to the proposal. With regard to surface water drainage it is the responsibility of the developer to make proper provision for drainage to ground, water courses or a suitable sewer.

### **Planning Considerations**

From the heritage aspect, the proposal is considered to be acceptable.

As regards the impact on trees, the proposal would mean the loss of 3 individual specimens (a hawthorn, an ash and a spruce), together with a cypress hedge. These have all been graded C and it would not be appropriate to insist on their retention. On this basis, conditions are recommended.

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
- BE11 Conservation Areas
- BE14 Trees in Conservation Areas
- H7 Housing Density and Design
- H8 Residential Extensions
- H9 Side Space
- T3 Parking
- T7 Cyclists
- T18 Road Safety

- SPG1 General Design Principles
- SPG2 Residential Design Guidance

London Plan:

- 3.3 Increasing Housing Supply
- 3.4 Optimising Housing Potential
- 3.5 Quality and Design of Housing Developments
- 5.3 Sustainable Design and Construction
- 5.13 Sustainable Drainage
- 6.9 Cycling
- 6.13 Parking
- 7.2 An Inclusive Environment
- 7.3 Designing out crime
- 7.4 Local Character
- 7.6 Architecture

Mayor of London's Housing Supplementary Planning Guidance

## **Planning History**

There is a Conservation Area Consent application currently under consideration for the demolition of the existing dwelling (ref.13/02885).

## **Conclusions**

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

The front of this site is narrow and the arrangement of the existing buildings is currently at odds with the general street scene, with residential accommodation to the rear and a garage fronting the highway. The proposed site layout would move the residential part of the development to the front, following an established building line in the road and complementing the surrounding pattern of development. Given the narrow frontage of the site, side space between the flank walls of the proposed dwelling and the site boundaries would be limited to only 1m, which is less than may normally be considered acceptable in conservation areas. However, adequate separation would be retained to neighbouring buildings; particularly Lake House where the main dwelling is well-separated from the application site. As such, it is considered that the privacy and amenity of adjoining residents would be safeguarded and the development would not appear unduly cramped.

Concerns have been raised over the impact of the proposed three storey height in an otherwise predominantly two storey height area. The third storey would be largely encompassed within the confines of the roof slope, with low-hung eaves on the north-western elevation giving the appearance of a two storey development with accommodation within the roof space and appearing more sympathetic to the height of the adjacent 'Oak Haven'. While the eaves would be higher on the south-eastern flank, the dwelling would be set back from the highway boundary (by around 9m) and this would help to reduce the visual impact on the street scene.

Oakwood Close is characterised by houses of varying architectural designs. The proposed development is a high quality, contemporary timber and glass structure, designed to blend well with the surrounding wooded environment. Concerns have been raised over the reflective nature of the glass causing glare from the sun as well as light pollution from the internal lighting, however, the materials proposed are commonly used in modern residential development and, as this is a dwellinghouse, the effect of the internal lighting on the amenities of neighbouring occupiers is unlikely to be significant. Furthermore, Policy BE1 of the UDP promotes "Good modern design" going on to say that it "will be welcomed in appropriate circumstances where it can contribute positively to the surrounding environment" (Para.6.11). In addition, Policy BE1 and London Plan Policy 5.3 support sustainable design and construction methods as well as on-site renewables. The proposal includes solar panels to generate on-site energy.

With regard to the impact on the privacy and amenities of neighbouring residents, some concerns over overlooking and loss of privacy have been raised by residents in Sandy Ridge which is the road running behind the application site to the north-east. However, there is considerable separation between the application site and houses in Sandy Ridge and, despite the three storey's proposed, any significant overlooking or loss of privacy is considered unlikely.

The proposed dwelling would project beyond the rear of Oak Haven by approximately 4.5m. Although this would have some impact on the outlook from the rear of Oak Haven, given the separation between the two properties and the tree screening between the two developments, the visual impact is considered acceptable. In addition, there are no flank windows proposed which are likely to

cause undue overlooking, the indicated first floor window being to a bathroom which would be required to be obscure glazed, should permission be granted.

Objections have been received relating to the visual impact of the development from the street looking into the driveway of Lake House and the front of the house, and the height of the development against the adjacent garage. The visual impact of the development has already been assessed in the preceding sections of the report and is considered acceptable. While it is accepted that the development would be visible from Lake House, it would not materially impact on the living conditions of the occupiers of this property, as the main dwelling at Lake House is well-separated from the application site and many of the large trees around the site would be retained, providing some visual screening for the development.

Development will not normally be permitted if it will damage or lead to the loss of one or more trees in conservation areas. The trees on this site make an important contribution to the visual amenities of this part of the conservation area and the retention of as many trees as possible is desirable in order to minimise the visual impact of the development.

The proposal is considered acceptable from a Highways perspective. Two parking spaces are proposed at the front of the site which is considered acceptable. Should permission be granted a construction management plan would be needed due to the layout of the site.

Having had regard to the above it is considered that the development in the manner proposed is acceptable in that it would not result in a significant loss of amenity to local residents and it would enhance the character and appearance of the Chislehurst conservation area.

Background papers referred to during production of this report comprise all correspondence on files refs. 13/02880 and 13/02885, excluding exempt information.

as amended by documents received on 06.09.2013

## **RECOMMENDATION: PERMISSION**

Subject to the following conditions:

- |   |        |  |
|---|--------|--|
| 1 | ACA01  | Commencement of development within 3 yrs |
|   | ACA01R | A01 Reason 3 years                       |
| 2 | ACA07  | Boundary enclosure - no detail submitted |
|   | ACA07R | Reason A07                               |
| 3 | ACC07  | Materials as set out in application      |
|   | ACC07R | Reason C07                               |
| 4 | ACD02  | Surface water drainage - no det. submitt |
|   | ADD02R | Reason D02                               |
| 5 | ACD06  | Sustainable drainage system (SuDS)       |
|   | ADD06R | Reason D06                               |
| 6 | ACH03  | Satisfactory parking - full application  |

- |    |        |  |  |
|----|--------|--|--|
|    | ACH03R | Reason H03                               |  |
| 7  | ACH09  | Restriction on height to front and flank |  |
|    | ACH09R | Reason H09                               |  |
| 8  | ACH18  | Refuse storage - no details submitted    |  |
|    | ACH18R | Reason H18                               |  |
| 9  | ACH22  | Bicycle Parking                          |  |
|    | ACH22R | Reason H22                               |  |
| 10 | ACH26  | Repair to damaged roads                  |  |
|    | ACH26R | Reason H26                               |  |
| 11 | ACH29  | Construction Management Plan             |  |
|    | ACH29R | Reason H29                               |  |
| 12 | ACI01  | Restriction of all "pd" rights           |  |
- Reason:** In order to comply with Policies BE1 and H7 of the Unitary Development Plan and to prevent overdevelopment of the site.
- |    |        |                                   |                                    |
|----|--------|-----------------------------------|------------------------------------|
| 13 | ACI09  | Side space (1 metre) (1 insert)   | north-west and south-east          |
|    | ACI09R | Reason I09                        |                                    |
| 14 | ACI12  | Obscure glazing (1 insert)        | in the first floor flank elevation |
|    | ACI12R | I12 reason (1 insert)             | BE1                                |
| 15 | ACI17  | No additional windows (2 inserts) | flank dwelling                     |
|    | ACI17R | I17 reason (1 insert)             | BE1                                |
| 16 | ACK01  | Compliance with submitted plan    |                                    |
- Reason:** In order to comply with Policies BE1, BE11, BE14, H7 and H9 of the Unitary Development Plan and in the interest of the appearance of the building and the visual and residential amenities of the conservation area.

### INFORMATIVE(S)

- 1 You are advised that this application is considered to be liable for the payment of the Mayoral Community Infrastructure Levy under the Community Infrastructure Levy Regulations (2010) and the Planning Act 2008. The London Borough of Bromley is the Collecting Authority for the Mayor and this Levy is payable on the commencement of development (defined in Part 2, para. 7 of the Community Infrastructure Levy Regulations (2010)). It is the responsibility of the owner and /or person(s) who have a material interest in the relevant land to pay the Levy (defined under Part 2, para. 4(2) of the Community Infrastructure Levy Regulations (2010)). The Levy will appear as a Land Charge on the relevant land with immediate effect.

If you fail to follow the payment procedure, the collecting authority may impose surcharges on this liability, take enforcement action, serve a stop notice to prohibit further development on the site and/or take action to recover the debt.

- 2 With regard to surface water drainage it is the responsibility of the 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.

- 3 In order to assess the proposed storm water system, we require:
  - A clearly labelled drainage plan showing pipe networks and any attenuation soakaways;
  - Where infiltration forms part of the proposed storm water system such as soakaways, soakage test results and test locations are to be submitted in accordance with BRE digest 365;
  - Calculations should demonstrate how the system operates during the 1 in 30 year critical duration storm event plus climate change.
- 4 If during works on site suspected contamination is encountered, Public Protection should be contacted immediately. The additional contamination shall be fully assessed and an appropriate remediation scheme submitted to the Authority for approval in writing by it or on its behalf.
- 5 You are reminded of your obligation under Section 80 of the Building Act 1984 to notify the Building Control Section at the Civic Centre six weeks before demolition work is intended to commence. Please write to Building Control at the Civic Centre, or telephone 020 8313 4313, or e-mail: [buildingcontrol@bromley.gov.uk](mailto:buildingcontrol@bromley.gov.uk)
- 6 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.



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"This plan is provided to identify the location of the site and should not be used to identify the extent of the application site"

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