

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

Application No : 13/03970/FULL1

Ward:
Chislehurst

Address : The Bickley Arms Chislehurst Road
Chislehurst BR7 5NP

OS Grid Ref: E: 543089 N: 169585

Applicant : Spirit Pub Company

Objections : YES

Description of Development:

Single storey side extension and raised terrace, detached barbecue hut and beach hut in rear garden, with landscaping including raised decking and planters.

Key designations:

Conservation Area: Chislehurst
Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
Flood Zone 2
Flood Zone 3
London City Airport Safeguarding
London City Airport Safeguarding Birds
Local Distributor Roads
Open Space Deficiency

Proposal

It is proposed to add a single storey side extension to the southern side of this Public House to enclose what is currently an external covered dining area, and construct a raised external dining area at a slightly lower level on the eastern side of the building which would lead down into the garden area.

It is also proposed to add a barbecue hut in the centre of the rear garden along within 3 timber-clad beach style huts in the southernmost corner of the garden for outside dining. The garden would be landscaped and would include terraced areas and raised planters.

Location

The site is occupied by a Public House which is situated at the junction of Chislehurst Road and Station Approach, and lies within Chislehurst Conservation Area. Opposite is a small parade of local shops, whilst to the east is a recently built

part three/four storey block of flats known as Tollgate Lodge. The surrounding area is generally residential in character.

The site lies in close proximity to Kyd Brook.

Comments from Local Residents

Letters of objection have been received from nearby residents, and the main points raised are summarised as follows:

- increased use of rear garden would cause noise and disturbance to neighbouring properties
- barbecue hut should be positioned further away from neighbouring properties to reduce smells
- increased pressure for parking
- there should be a designated smoking area away from Tollgate Lodge
- there should not be access to the beer garden adjacent to Tollgate Lodge (as at present)
- use of the rear garden should have restricted hours
- light pollution and loss of privacy from raised terrace
- use of existing external bar for cooking and washing up would cause disturbance.

Comments from Consultees

The Advisory Panel for Conservation Areas raises objections to the proposals on the grounds that the design of the extension is unsympathetic and harmful to the architectural integrity of the host building which is of historic interest and visually makes a positive contribution to the Conservation Area.

Network Rail raises no concerns, while the Environment Agency have no objections to the proposals so long as the works are contained within the curtilage of the building and appropriate pollution prevention measures are applied during construction works to ensure no pollution to the watercourse.

The Council's Environmental Health Officer raises some concerns about potential for noise and cooking odours/smoke emanating from the use of the garden by customers, but accepts that the rear garden can already be used for outside drinking and dining without restriction. However, given the likely increase in intensity of the use of the garden, the applicant has been contacted to discuss possible measures or conditions to manage the impact on neighbours, and any response will be reported verbally to Members.

Planning Considerations

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

BE1 Design of New Development
BE11 Conservation Areas

Planning History

Permission was granted in 1984 (ref. 83/01885) for the formation of a beer garden with canopy over, with no restrictions imposed on the hours of use.

In 2007, permission was granted (ref. 07/01637) for the installation of a timber pergola in the rear garden, and was subject, inter alia, to condition 3 which stated that "No customers shall use the pergola hereby permitted after 23.00 hours on any day" in order to protect residential amenity. However, the pergola, even if originally erected, does not now exist within the garden.

Conclusions

The main issues in this case are the impact of the proposals on the character and appearance of Chislehurst Conservation Area, on the amenities of nearby residential properties, and on important trees on the site.

The proposed timber-clad single storey side extension and raised terrace would be set back from the front elevation of the building, and would be subservient in scale. The design would create an interesting contrast, and the proposals are not, therefore, considered to have a detrimental impact on the wooded character of this part of Chislehurst Conservation Area. The garden structures would be set at a lower level and towards the rear of the building, and are not considered to adversely affect the character and appearance of the Conservation Area.

The proposed raised terrace would come closer to the boundary with Tollgate Lodge than the existing larger open terrace to the south of the building, but it would be set at a lower level, and any additional impact on residential amenity would to some extent be off-set by the proposal to enclose the existing higher-level terrace.

With regard to the proposed erection of structures within the rear garden, which comprise a barbecue hut and three beach huts, the garden can already be used without planning restrictions for outside drinking and dining in connection with the public house. The structures themselves are set away from the boundaries with neighbouring properties, and would not cause a significant loss of outlook or privacy.

With regard to trees on the site, it is proposed to remove a group of cypresses beside the Kyd Brook and two poor quality sycamores on the eastern boundary, and no objections are raised to the loss of these trees. The remaining trees in the back garden would not be directly affected by the proposals, although some minor pruning of the trees is proposed which is considered acceptable.

In conclusion, subject to any response from the applicants regarding possible measures to manage the use, the proposals are not considered to have such an impact on the amenities of neighbouring properties and the character and appearance of this part of Chislehurst Conservation Area to warrant a refusal of planning permission.

Background papers referred to during production of this report comprise all correspondence on the files set out in the Planning History section above, excluding exempt information.

RECOMMENDATION: PERMISSION

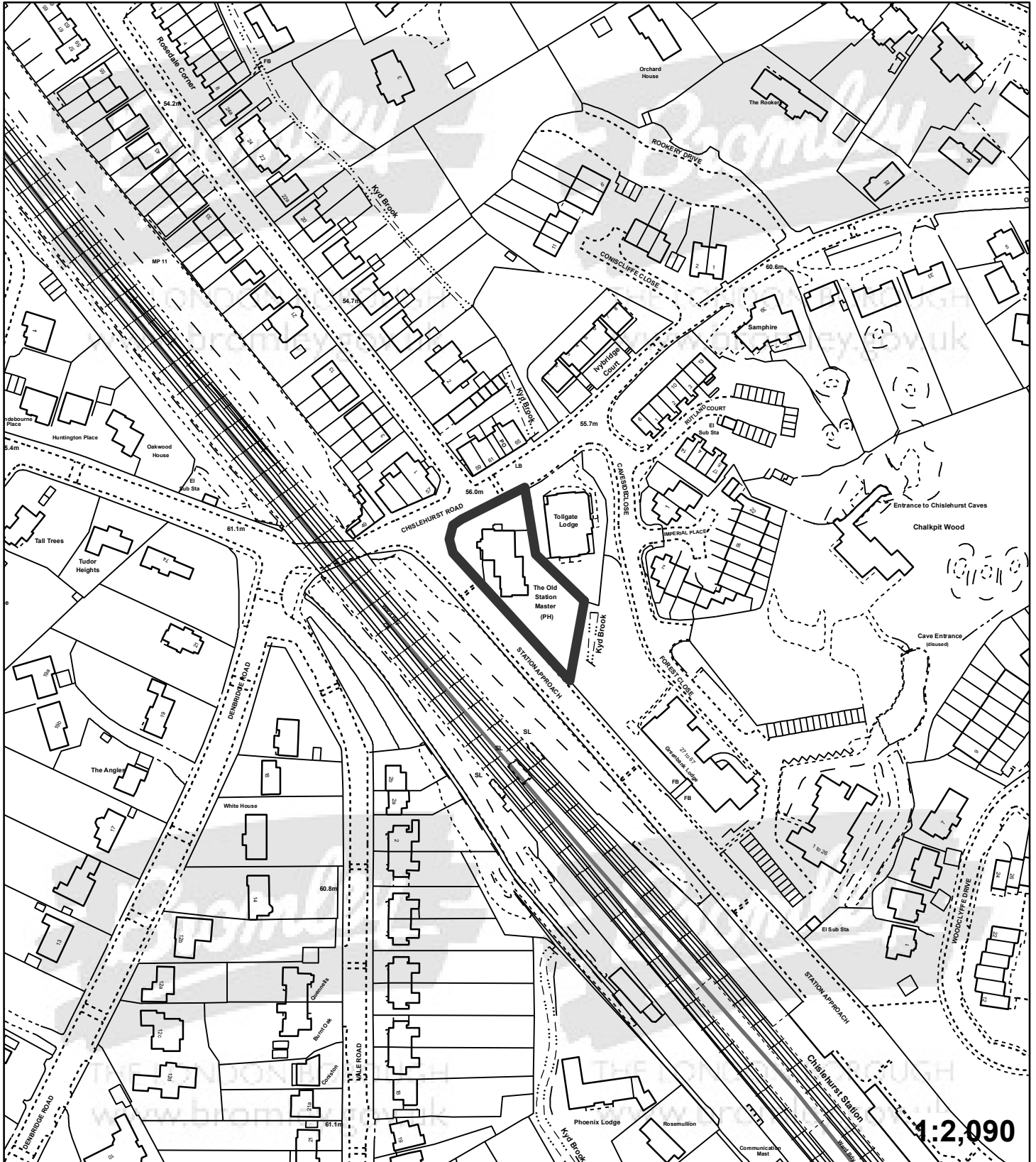
Subject to the following conditions:

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|---|--------|--|
| 1 | ACA01 | Commencement of development within 3 yrs |
| | ACA01R | A01 Reason 3 years |
| 2 | ACC01 | Satisfactory materials (ext'nl surfaces) |
| | ACC01R | Reason C01 |
| 3 | ACK01 | Compliance with submitted plan |
| | ACK05R | K05 reason |

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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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