

SECTION '2' – Applications meriting special consideration

**Application No :** 13/04286/FULL1

**Ward:**  
**Chislehurst**

**Address :** Hollybank Manor Park Road Chislehurst  
BR7 5PY

**OS Grid Ref:** E: 544467 N: 169847

**Applicant :** Mr James McDonnell

**Objections :** YES

**Description of Development:**

Demolition of existing house and erection of a detached two storey four bedroom house with accommodation in roofspace (Amendment to permission ref. 12/01099 to include elevational alterations) RETROSPECTIVE APPLICATION

Key designations:

Conservation Area: Chislehurst  
Biggin Hill Safeguarding Birds  
Biggin Hill Safeguarding Area  
London City Airport Safeguarding  
London City Airport Safeguarding Birds  
Local Distributor Roads

**Proposal**

The application seeks permission for the construction of a detached two storey four bedroom dwelling.

Following the previous permission (ref. 12/01099) the original dwelling was demolished. A new dwelling was constructed although this was not in accordance with planning permission ref. 12/01099. The dwelling differed from this permission elevationally and in respect to overall height.

Along with regularising the rebuilding of the dwelling in accordance with permission ref. 12/01099, the current proposal seeks to provide the following elevational alterations to the substantially completed dwelling:

- overall height redesigned to be no taller than previous approvals
- new front door to Manor Park Avenue elevation
- red clay tile hanging to first floor elevations
- minor additional plinth footprint. This will enlarge the footprint of the small plinth areas to either side of the front entrance to the building on the front elevation.

- alterations to window sizes and details to the north and west elevations, including an enlarged first floor window to the west elevation.

## **Location**

The application site comprises a two storey dwelling located on the corner of Manor Park Road and Church Lane. The site falls within the Chislehurst Conservation Area and the area is characterised by a mix of detached development, with St Nicholas Church to the west.

## **Comments from Local Residents**

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

- unattractive use of materials
- poor design for a site on a prominent corner
- impact on the character of the conservation area
- dwelling has been constructed retrospectively and therefore permission should have been applied for prior to construction
- dwelling is detrimental to the local landscape
- proposal is out of character with the design of neighbouring dwellings
- proposal should be considered at Plans Sub-Committee in order to remain transparent

## **Comments from Consultees**

The Advisory Panel for Conservation Areas (APCA) has objected on the basis that the building is inferior to the one it replaces. The drawings do not regularise the build and the applicant should clarify this.

No technical highways objections are raised.

Thames Water raises no objections.

No Environmental Health objections are raised.

No technical drainage comments have been received. Any further comments will be reported verbally at the meeting.

From a heritage and urban design point of view, no objections are raised. The proposal is practically identical to the approved scheme. Should it be considered necessary to change the external materials, conditions could be applied however it is considered that the materials used are not very different to many new developments in Chislehurst.

## **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  
BE12 Demolition In Conservation Areas  
H7 Housing Density And Design  
T18 Road Safety  
NE7 Development And Trees

London Plan Policy 5.13 (Sustainable Drainage)

The Supplementary Planning Guidance for the Chislehurst Conservation Area and the Council's adopted Supplementary Planning Guidance are also considerations.

The Tree Officer has not commented on the proposal. Any comments received will be reported verbally at the meeting.

### **Planning History**

The application property has previously been granted permission for a single storey side extension under application ref. 92/02106.

Permission was granted on appeal under application ref. 10/02384 for roof alterations and extension to existing dwelling to form 3 bed two storey dwelling house.

Planning permission was granted under ref. 12/01099 for roof alterations and extension to existing dwelling to form 4 bed two storey dwelling house. This building resulting from this permission would reflect the size and design of the dwelling that has now been constructed.

### **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 impact on trees and highway safety are also considerations.

The current position at the site is that a new dwelling has been constructed rather than extensions as previously approved. Compared to the extensions permitted, the house at the site features elevational alterations outlined above. The principle of a dwelling of the scale and appearance that exists has been established by the previous consents. Taking into account the previous permissions, the elements to be considered therefore are elevational alterations to the windows, including an alteration to the size of one window on the flank elevation, an alteration to the footprint size of the front plinths, the use of red clay tile hanging and the relocation of the front door facing Manor Park Road.

The heights of the previously approved schemes (refs. 102384 and 12/01099) were 9.1 metres and 8.4 metres. The current proposal has a height of 8.8m. In allowing the appeal on application ref. 10/02384 the Inspector's decision considered that the 2010 proposal would be of a similar height to the adjacent

property at Mereworth (given the changes proposed). It is considered that the current scheme also accords with that view. A height of 8.8m as built is considered suitable in the local context and in light of these previous decisions.

The level of separation to the boundary with Church Lane and Mereworth has been maintained and the overall footprint remains relatively unchanged. The elevation to the neighbouring property maintains a hipped roof and as such it is not considered that the changes proposed would have any further affect upon the residents of Mereworth than the previously permitted scheme. The principle of gables to the western elevation has been established and it is not considered that the alterations proposed would result in an unacceptable change.

The Inspector stated that the area was composed of a variety of different styles and whilst the proposed scheme would be larger than the existing bungalow, it would add a stronger feature to the site that would not be out of place and has been previously considered acceptable. The Inspector noted that the twin gables to the western elevation would add interest to the local scene.

It is considered that the principle of gables has been established and was considered by the Inspector to be beneficial to the character of the area. The southern gable feature was added under the recently permitted proposal and therefore this feature remains acceptable.

The styling and elevational treatments have been altered further from that previously approved. Although the revised design is not similar to those of the adjoining properties on this edge of Manor Park Road, it is more inclined towards that of other properties opposite in the immediate area with an older period of construction. Within this context it is considered that the proposal would not be out of character with the area.

The building's siting in closer proximity to the corner retains a suitable separation to avoid a sense of dominance or intrusion within the street scene. The 1m side space to the boundary with Mereworth has also previously been considered acceptable and will retain a first floor side space provided by the single storey side aspect to the house at Mereworth.

The rebuild of the dwelling with the minor elevational alterations collectively are not considered to impact harmfully on the character of the area and would not alter the external appearance of the building significantly from the previously permitted design. Although the building stands out from those around it, the materials are considered suitable for the Conservation Area.

In summary, the principle of the majority of the development is established under ref. 12/01099. The remainder of the development hereby applied for is considered to add minor alterations to the previously approved schemes and on balance is considered acceptable, taking into account all issues raised. The building on site has been visited and checked against all plans submitted and previously granted when considering this position.

Having had regard to the above it was considered that the proposal is acceptable in that it would not result in a significant loss of amenity to local residents nor impact detrimentally on the character of the conservation area. No significant impact on trees or highway safety would result. It is therefore recommended that Members grant planning permission.

Amended plans have been received dated 03/03/14 indicating the alterations to the elevations proposed which were not originally submitted.

Background papers referred to during production of this report comprise all correspondence on the files refs. 10/02384, 12/01099 and 13/04286, set out in the Planning History section above, excluding exempt information.

as amended by documents received on 03.03.2014

### **RECOMMENDATION: PERMISSION**

Subject to the following conditions:

- 1 ACI12 Obscure glazing (1 insert) in the second floor flank elevation  
ACI12R I12 reason (1 insert) BE1
- 2 ACI17 No additional windows (2 inserts) flank development  
ACI17R I17 reason (1 insert) BE1
- 3 ACK01 Compliance with submitted plan

**Reason:** In order to comply with Policies BE1 and BE11 of the Unitary Development Plan and in the interest of the visual amenities of the Conservation Area and the amenities of the nearby residential properties.

- 4 ACI02 Rest of "pd" Rights - Class A, B,C and E

**Reason:** In order to comply with Policies BE1 and BE11 of the Unitary Development Plan and in the interest of the visual amenities of the Conservation Area and the amenities of the nearby residential properties.

### **INFORMATIVE(S)**

- 1 You are advised that this application may 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)).

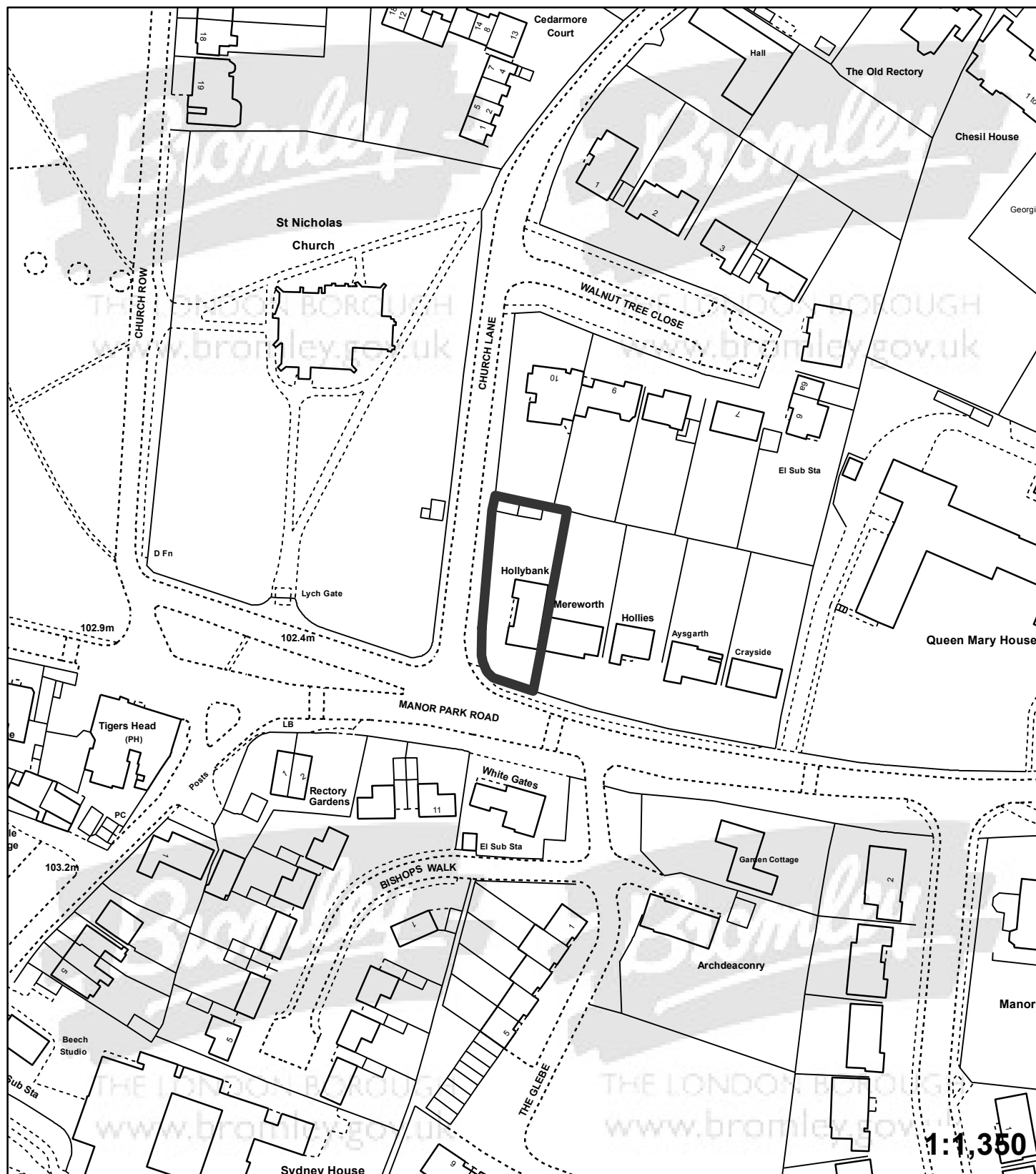
If you fail to follow the payment procedure, the collecting authority may impose surcharges on this liability, take enforcement action, serve a stop notice to prohibit further development on the site and/or take action to recover the debt.

Further information about Community Infrastructure Levy can be found on attached information note and the Bromley website [www.bromley.gov.uk/CIL](http://www.bromley.gov.uk/CIL)

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**RETROSPECTIVE APPLICATION**



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