

SECTION '2' – Applications meriting special consideration

**Application No :** 14/00482/FULL1

**Ward:**  
**Chislehurst**

**Address :** Land Rear Of 35 To 37 High Street  
Chislehurst

**OS Grid Ref:** E: 543853 N: 170744

**Applicant :** Priority Properties Ltd

**Objections :** YES

**Description of Development:**

Demolition of existing buildings and erection of two storey building comprising 4 two bedroom and 2 one bedroom flats with 1 two storey Class B1 office and associated parking and landscaping.

Key designations:

Conservation Area: Chislehurst  
Biggin Hill Safeguarding Birds  
Biggin Hill Safeguarding Area  
Green Chain Walk  
London City Airport Safeguarding  
London City Airport Safeguarding Birds  
London Distributor Roads  
Retail Shopping Frontage Chislehurst

**Proposal**

- Permission is sought for the demolition of the existing buildings and erection of a two storey building comprising 4 two bedroom and 2 one bedroom flats with 1 two storey Class B1 office and associated parking and landscaping.
- The existing buildings will be demolished, and the application includes Conservation Area Consent for this aspect of the proposal.
- The application differs from that previously refused under ref. 13/02814 by redesigning the building to provide an L-shaped structure, alterations to the elevations and roof design along with the redesign of the internal layout of the building and orientation of the flats.

**Location**

The application site is located to the western edge of the High Street and is set behind Nos. 35 and 37 within an area currently occupied by offices and a car storage area. The site is located within the Chislehurst Conservation Area and both No.35 and No.37 are Locally Listed buildings.

## **Comments from Local Residents**

Nearby owners/occupiers were notified of the application and no representations were received.

## **Comments from Consultees**

The Advisory Panel For Conservation Areas has objected on the grounds that the design is monotonous and does not enhance the Conservation Area.

Environmental Health Housing have commented that the provision of family accommodation in this location is unsatisfactory in a high density commercial area. One bedroom flats would be better in this location due to a lack of recreational space.

No technical drainage objections are raised subject to a standard condition.

The Council's Secured by Design officer has commented that a secure by design condition should be imposed on any permission.

No technical highways objections are raised subject to standard and non-standard conditions.

From a heritage and urban design point of view, no objections are raised.

Environmental Health raised no objections under the previous application subject to a condition requiring an assessment for land contamination.

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

## **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
- BE10 Locally Listed Buildings
- BE11 Conservation Areas
- H1 Housing Supply
- H7 Housing Density and Design
- H9 Side Space
- NE7 Development and Trees
- T3 Parking
- T18 Road Safety

Supplementary Planning Guidance 1 and 2  
Supplementary Planning Guidance: Chislehurst Conservation Area

London Plan Policy 3.4 Optimising Housing Potential

National Planning Policy Framework

**Planning History**

Application ref. 87/01464 granted permission for the use of the building for the storage of vehicles and accessories with the associated land being approved for the use on appeal in 1986.

In 1990, (ref. 90/01010) which was a refused outline planning application for the use of the first floor as offices.

Planning permission was refused under ref. 13/02814 for demolition of the existing buildings and erection of two storey building comprising 4 two bedroom and 2 one bedroom flats with 1 two storey Class B1 office and associated parking and landscaping. The refusal grounds were as follows:

'The proposal would, by reason of the predominately single aspect north facing design of the dwellings, result in inadequate daylight and ventilation leading to an unacceptable level of accommodation for future occupants contrary to Policies BE1 and H7 of the Unitary Development Plan, Policy 3.5 of the London Plan, the Mayor's Housing Supplementary Planning Guidance and the National Planning Policy Framework.

The proposal would, by reason of its scale, height, bulk and design, represent a prominent and excessive form of development with a detrimental impact upon the visual amenities of the residents of Nursery Gardens and the occupants of Applegate House contrary to Policies BE1 and H7 of the Unitary Development Plan, Policy 3.5 of the London Plan and the National Planning Policy Framework.'

This application is currently subject to an appeal which is in progress.

**Conclusions**

The main issues relating to the application are the effect that it would have on the character of the Conservation Area, the quality of the proposed accommodation, the suitability of the design and the impact that it would have on the amenities of the occupants of surrounding residential properties.

Nos. 35 and 37 are locally listed buildings which appear on the 1868 first edition O/S map. The original section constitutes the two storey part under a mansard roof with later Victorian additions of less merit to the front and rear. The structures to the rear of Nos.35-37 which are proposed for demolition appear to be of little architectural merit having been much altered over the years.

The site is located within a poor level of public transport accessibility (Level 1b) and the site has an area of 0.102 hectares, giving a density of 58 dwellings per

hectare at 157 habitable rooms per hectare. This is considered to approximately accord with the requirements of the density matrix cited by Policy 3.4 of the London Plan (Table 3.2) and given the nature of the two storey development in relation to the existing use of the site, it is not considered to result in a development that would be out of character with the surrounding pattern of development or the area in terms of density.

Following the refusal of application ref. 13/02814, the proposal has been altered to reduce the length of the block and L-shape in order to increase the separation between the building and those to the south west from 9m to 24m. This relationship is considered to be a significant improvement and would not create the sense of over-development and visual impact that was previously considered. The two storey wall would not therefore be as immediately visible as the previously proposed scheme and the relationship is considered suitable.

To the south-west the building will be 7m away from Applegate House, which is also a significant improvement. This is a non-residential building and the level of intrusion is considered to be to an acceptable degree following this re-siting. The space to the rear of the site that currently provides a relief to these neighbouring properties and was eroded as part of the previous proposal and would be largely retained by the current scheme, with a larger amenity area to the rear of the block. Although the proposal will present a larger rear wall to the dwellings on Nursery Gardens, the separation is greatly increased and the visual impact is not therefore considered significantly harmful.

The design of the previously refused building (ref. 13/02814) was also not considered adequate. The ground floor featured three residential dwellings, with the living area of flat 1 featuring three north facing windows onto the car park; flat 2 featuring two north facing windows to the living area and one north facing window to the single bedroom, all onto the car park; and flat 3 featuring a single north facing window for each of the two bedrooms and two north facing windows to the living area, again all onto the car park. At first floor level application ref. 13/02814 proposed that bedroom 1 of Flat 5 would have a single aspect north facing window and other flats would have a mixture of additional south and east facing rooflights to try and mitigate the issue. The living area of flat 6 featured two north facing windows and two north facing rooflights.

The current proposal alters the internal arrangement to provide dual aspect flats, removing the access hallway to the south side of the building. The result is that the bedrooms are now positioned on the ground floor, with living areas to the first floor. This arrangement provides raised pitch ceiling heights and south facing rooflights, providing the living areas with more natural light. Although many of the bedrooms remain facing onto the car park, the alterations to the living areas are considered an improvement by providing the flats with more natural light from the southern elevation.

Standard 5.2.1 of the Mayor's Housing SPG is clear that single aspect north facing dwellings should be avoided and that "North facing single aspect dwellings should be avoided wherever possible". The NPPF is clear that a key principle of planning is to secure high quality design and a good standard of amenity for existing and

future occupants of buildings whilst good design is a key aspect of sustainable development and is indivisible from good planning. It is considered that the Mayor's Housing SPG and the Council's Policies BE1 and H7 are in accordance with such principles.

It is considered that the proposed development has been improved upon in terms of the standard of accommodation being proposed, with the internal circulation areas altered to prevent single aspect north facing accommodation that would be unacceptable in terms of daylight and natural ventilation. As such, it is considered that in its current form the revised proposal would overcome the previous ground of refusal in this regard. Environmental Health has commented that the provision of family accommodation may be unacceptable in this location of high density commercial uses, however this was not specifically referred to in the previous refusal ground, which related to the single aspect nature of the previously proposed accommodation. The current proposal is considered to address the previous grounds of refusal and therefore the quality of accommodation proposed is considered improved for future occupants. Members may therefore consider that the previous ground of refusal has been addressed and may consider the proposal acceptable.

Background papers referred to during production of this report comprise all correspondence on the files refs. 13/02814 and 14/00482, set out in the Planning History section above, excluding exempt information.

## **RECOMMENDATION: PERMISSION**

Subject to the following conditions:

- |    |                 |  |
|----|-----------------|--|
| 1  | ACA01<br>ACA01R | Commencement of development within 3 yrs<br>A01 Reason 3 years |
| 2  | ACC01<br>ACC01R | Satisfactory materials (ext'nl surfaces)<br>Reason C01         |
| 3  | ACC03<br>ACC03R | Details of windows<br>Reason C03                               |
| 4  | ACD02<br>AED02R | Surface water drainage - no det. submitt<br>Reason D02         |
| 5  | ACH03<br>ACH03R | Satisfactory parking - full application<br>Reason H03          |
| 6  | ACH08<br>ACH08R | Details of turning area<br>Reason H08                          |
| 7  | ACH16<br>ACH16R | Hardstanding for wash-down facilities<br>Reason H16            |
| 8  | ACH18<br>ACH18R | Refuse storage - no details submitted<br>Reason H18            |
| 9  | ACH22<br>ACH22R | Bicycle Parking<br>Reason H22                                  |
| 10 | ACH23<br>ACH23R | Lighting scheme for access/parking<br>Reason H23               |
| 11 | ACH29<br>ACH29R | Construction Management Plan<br>Reason H29                     |

12    ACH32        Highway Drainage  
      ADH32R      Reason H32

13    ACK01        Compliance with submitted plan

**Reason:** In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of the visual amenities and character of the Chislehurst Conservation Area and the amenities of neighbouring residential properties.

14    ACK05        Slab levels - no details submitted  
      ACK05R      K05 reason

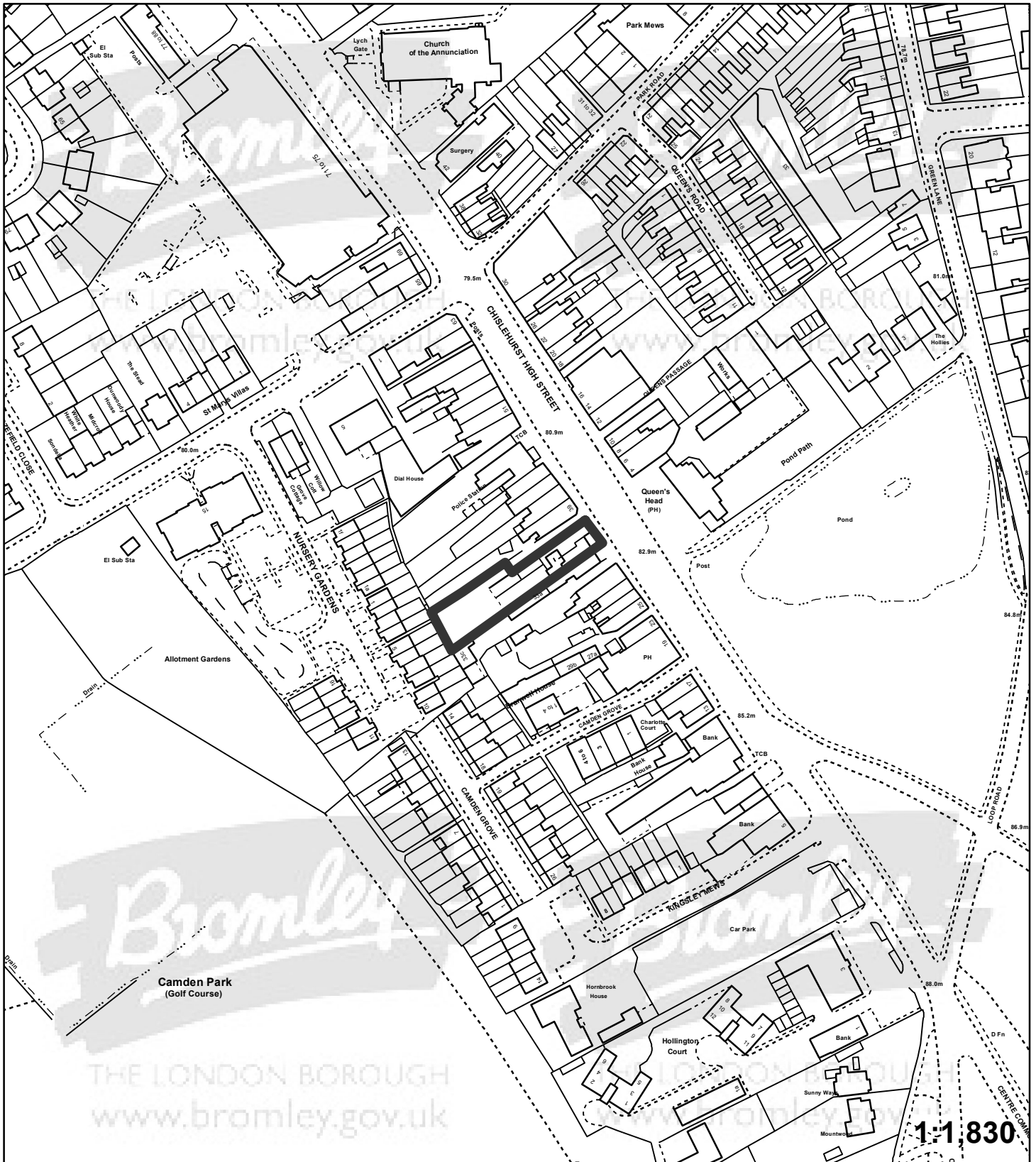
15    No loose materials shall be used for surfacing of the parking and turning area hereby permitted.

**Reason:** In order to comply with Policy T18 of the Unitary Development Plan and in the interest of conditions of highway safety.

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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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