

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

Application No : 14/00040/FULL6

Ward:
Chislehurst

Address : Scathebury 47 Holbrook Lane
Chislehurst BR7 6PE

OS Grid Ref: E: 545010 N: 169863

Applicant : Mr S Taylor

Objections : YES

Description of Development:

Swimming pool in paved terrace with change and gym below in basement

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
Sites of Interest for Nat. Conservation

Proposal

- The proposal seeks permission for a large excavation of the rear garden to provide a swimming pool, staircases to link the different land levels and a basement level to provide a gym and shower room. The overall length of the structure will be 17.5m and the width 15m. The structure will be sited 4m from the northern flank boundary and 3.6m from the southern flank boundary.
- The rear section of the pool and platform behind it will be on slightly raised land, higher than ground level towards the rear of the site. The site also slopes from one side to the other downhill from south to north, with the structure sunken slightly to one side of the site (southern) and elevated slightly to the other (northern).

Location

The site is located on the eastern side of Holbrook Lane and comprises a large detached two storey dwelling. The area is characterised by similar detached dwellings set within spacious plots. To the north is a residential care home and the area falls within the Chislehurst Conservation Area.

Comments from Local Residents

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

- insufficient plans
- visual impact and over-development of the site
- impact on character of the conservation area
- noise and disturbance to neighbouring dwelling and care home

Comments from Consultees

APCA did not inspect the application.

Thames Water raises no objections to the application subject to conditions.

No technical drainage objections are raised.

No Environmental Health (Pollution) objections are raised.

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
BE11 Conservation Areas
BE14 Trees In Conservation Areas
NE7 Development And Trees

London Plan Policy 5.13 (Sustainable Drainage)

The National Planning Policy Framework

The Supplementary Planning Guidance for the Chislehurst Conservation Area is also a consideration.

Planning History

Planning permission was granted under ref. 12/03983 for a part one/two storey rear extension, roof alterations to incorporate front and rear dormer extensions, creation of basement area and elevational alterations.

Planning permission was granted under ref. 13/03062 for roof alterations to garage to include gable roof extension and elevational alterations.

Conclusions

The main issues relating to the application are the effect that it would have on the character of the Chislehurst Conservation Area, the impact on the setting of the

adjacent locally listed building and the impact that it would have on the amenities of the occupants of surrounding residential properties. The impact on trees is also a consideration.

The proposal would not be considered to have a harmful impact on the character and appearance of the conservation area. The proposal will not have a large bulk due to the structure being sited largely underground and the appearance of the swimming pool and staircases would complement the building. The structure will be sited away from public areas of the Conservation Area and the remaining area of garden that would be retained would be large. Subject to the use of suitable materials, the proposal would not impact harmfully on the character and appearance of the conservation area.

Likewise, the structure will not impact harmfully on the setting of the locally listed building. The pool will be sited some 10m from the rear elevation of Scathebury and given that the building will not project significantly above ground level, the structure would not impact on views to the main building or the general setting of Scathebury.

The swimming pool will provide a basement that will house a gym and shower room, with access from the eastern (rear) elevation which is on lower land. Although some of the building will project above ground level, the proposal is not considered to result in any significant visual impact or overlooking to neighbouring residential properties due to its separation from neighbouring houses and the level of screening along the boundaries. It is accepted that the proposal may create some noise and disturbance, however this is not considered discernibly different from any other use of a private garden and on balance could not be considered a reasonable reason to warrant refusal. The use of the garden for a particular activity is not in itself a reason to refuse planning permission, provided that the use is incidental to the enjoyment of the house. Similarly the raised area will be 30cm above the land level at the boundary to Cardinal Close and will not afford clear views to neighbouring gardens.

Having had regard to the above it is considered that the development in the manner proposed is acceptable in that it will not result in a detrimental impact on the character of the Conservation Area, the setting of the adjacent locally listed building and will not harm the amenities of the neighbouring properties. No significant impact on trees will result. It is therefore recommended that Members grant planning permission.

Background papers referred to during production of this report comprise all correspondence on the files refs. 12/03983, 13/03062 and 14/00040, set out in the Planning History section above, excluding exempt information.

as amended by documents received on 26.02.2014

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- 1 ACA01 Commencement of development within 3 yrs
ACA01R A01 Reason 3 years
- 2 ACC07 Materials as set out in application
ACC07R Reason C07
- 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 The structure hereby permitted shall only be used for purposes incidental to the residential use of the main house and for no other purpose.

Reason: In order to comply with Policies BE1 and BE11 of the Unitary Development Plan and in the interests of the residential amenities of the conservation area and the character of the conservation area.

- 5 The materials excavated during the construction of the development hereby permitted shall be removed from the site and not used to alter the land levels of the site as existing.

Reason: In order to comply with Policies BE1 and BE11 of the Unitary Development Plan and in the interests of the residential amenities of the area and the character of the conservation area.

- 6 The swimming pool hereby permitted shall be emptied only overnight and in dry periods. The discharge rate shall be controlled such that it does not exceed a flow rate of 5 litres per second into the public sewer network.

Reason: In order to minimise the risk of flooding of the site and surrounding area.

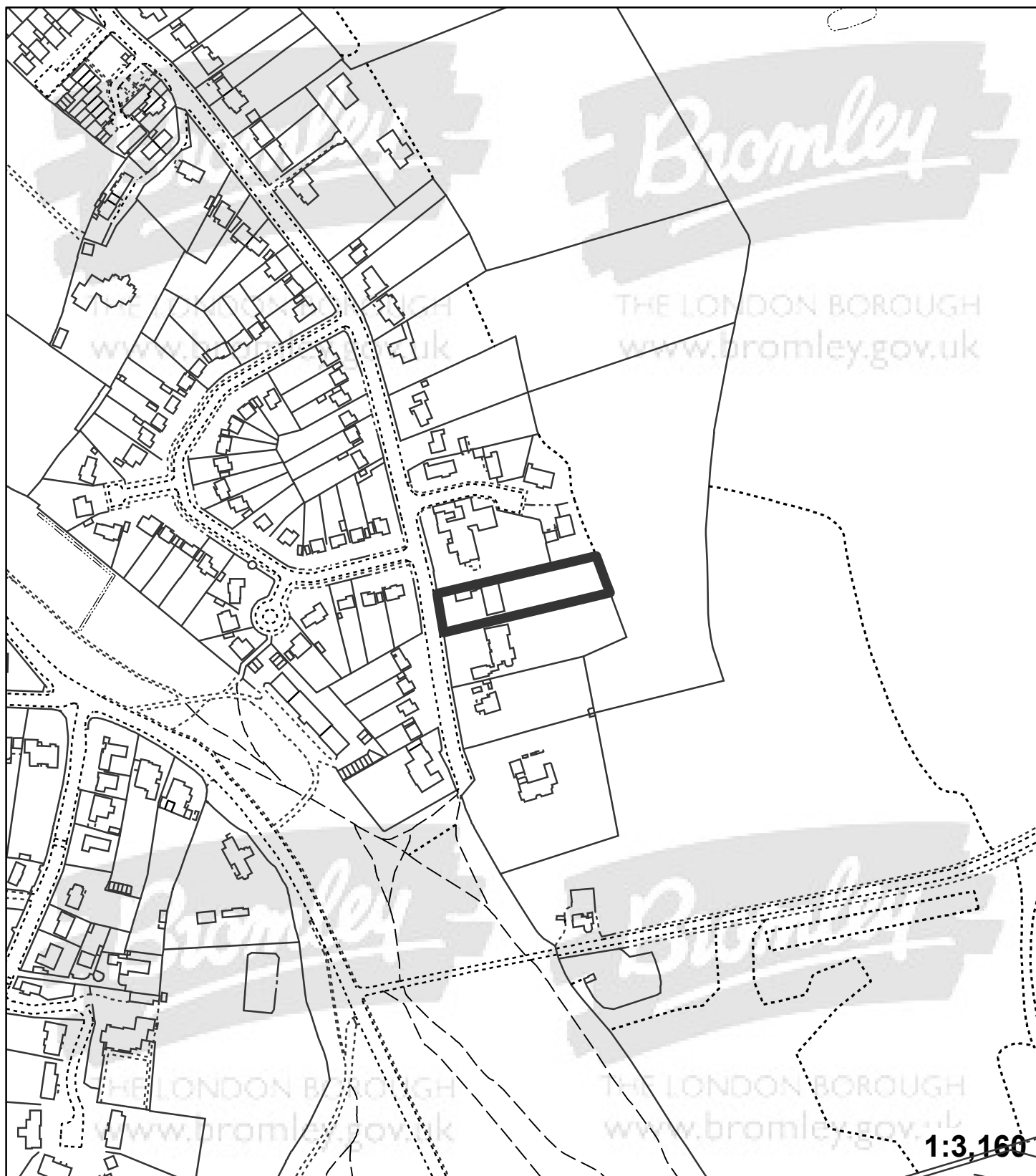
INFORMATIVE(S)

- 1 The applicant is advised that they should incorporate within the proposal protection to the property by installing for example a non-return valve or other suitable device to avoid the risk of backflow at a later date, on the assumption that the sewerage network may surcharge to ground level during storm conditions.
- 2 Any property involving a swimming pool with a volume exceeding 10 cubic metres of water will need metering. The applicant should contact Thames Water on 0845 9200 800.
- 3 The applicant is advised that the proposed swimming pool should not be emptied in the public foul sewer.

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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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