

SECTION '2' – Applications meriting special consideration

Application No : 14/00518/FULL1

Ward:
Chislehurst

Address : Huntingfield The Drive Chislehurst BR7
6QS

OS Grid Ref: E: 545582 N: 168981

Applicant : Mr N Carey

Objections : YES

Description of Development:

Demolition of existing dwelling and erection of two 5 bedroom detached dwellings with associated access, parking and landscaping.

Key designations:

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

Urban Open Space

Proposal

- It is proposed to demolish the existing dwelling at the site and erect a pair of detached two storey 5 bedroom dwellings with associated access, parking and landscaping.
- The proposal will be similar to that allowed on appeal under ref. 13/00906, with an increase in the depth of the dwellings of 1.5m to provide an enlarged pair of dwellings. The internal arrangement of the dwellings will also be altered as a result. The width and heights of the houses will remain as previously allowed on appeal.

Location

The site is located on the northern edge of The Drive, and is currently the side garden of 'Huntingfield' a large detached dwelling set to the eastern edge of the plot.

The surrounding locality is residential in nature, characterised by individually designed detached dwellings in a range of architectural styles, resulting in a varied streetscene. The drive has a semi-rural character, with large protected trees lining the highway edge.

Comments from Local Residents

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

- inappropriate sub-division of the plot and cramped overdevelopment of the site.
- excessive development, impacting on the character of the area
- adjacent site appears from the plans to be proposed to be developed separately
- long driveways proposed will impact on the green character of the site

The Chislehurst Society has objected on the grounds that the proposal would be a dominant and intrusive development, harmful to the character of the area. The proposal would also result in overlooking of neighbouring properties.

Comments from Consultees

No technical highways objections are raised.

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

No Thames Water objections are raised.

No Environmental Health objections are raised subject to informatives.

Planning Considerations

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

- BE1 Design of New Development
- NE7 Development and Trees
- H7 Housing Density and Design
- T3 Parking
- T11 New Accesses
- T18 Road Safety

The National Planning Policy Framework

London Plan Policy 3.4 Optimising Housing Potential

London Plan Policy 3.5 Quality and Design of Housing Developments

London Plan Policy 7.4 Local character

Planning History

Planning permission has been granted for a bungalow on this site under the following references: 74/01304, 81/2315, 84/2151, 87/03274 and 90/02432, none of which have been implemented.

Planning permission was refused under ref. 12/02300 for development of 1. no 4 bedroom detached dwelling with integral double garage. The refusal grounds were as follows:

'The proposals, by reason of the unsatisfactory siting, scale and height would appear over-dominant, intrusive and cramped in the streetscene, harmful to the character of The Drive, and contrary to policy BE1 of the Unitary Development Plan.

The proposals, by reason of the excessive forward projection beyond Huntingfield would result in an intrusive impact and loss of prospect that would be harmful to the amenities that current and future occupiers might reasonably expect to continue to enjoy, contrary to policy BE1 and H7 of the Unitary Development Plan.'

Planning permission was granted under ref. 12/02908 for development of one re-detached dwelling.

Planning permission was refused under ref. 13/00906 for demolition of existing dwelling and erection of two 5 bedroom detached dwellings with associated access, parking and landscaping. The refusal grounds were as follows:

'The proposal constitutes an unacceptable sub-division of the existing plot that is out of character with the surrounding area, resulting in a cramped over- development of the site and a retrograde lowering of the spatial standards to which the area is at present developed, and if permitted would set an undesirable precedent for similar sub-divisions in the locality, thereby contrary to Policies BE1 and H7 of the Unitary Development Plan.'

The application was subsequently allowed on appeal. The Inspector states:

6. 'Compared against the other plots within The Drive, Huntingfield is set within a spacious plot and I consider it is of a sufficient size, and shape, to accommodate the proposed development. The proposed dwellings would sit in plots of a size and shape similar to those of existing dwellings on The Drive, including those under construction. Space between the proposed dwellings and their boundaries would reflect that of existing dwellings on The Drive and would be sufficient to prevent the proposed dwellings from appearing cramped within their plots.
7. For the reasons given above, I conclude that the proposed development would not materially harm the character and appearance of the surrounding area.

8. I have considered the Council's argument that the grant of planning permission would set a precedent for similar developments in the area, to the detriment of the character and appearance of the area. Notwithstanding that I have concluded that the proposed development would be acceptable, the Council has not put forward any similar sites to which this might apply. Each application and appeal must be determined on its individual merits and a generalised concern of this nature does not justify withholding permission in this case.
9. A broad concern has been raised that that the proposed development would not provide sufficient separation from existing dwellings. This concern is not supported by the views of the Council or appellant. I appreciate that the proposed development would have a greater presence than the existing dwelling for occupiers of neighbouring properties. However, on the evidence before me, I do not consider that this would result in material harm to their living conditions, subject to safeguarding conditions.
11. In addition, there is a general concern about the principle of redevelopment within The Drive and it has been raised that there is no need for the proposed development, with the Council stating it has an adequate supply of deliverable housing sites, thereby reducing the pressure for housing in locations such as the appeal site. The motives of the appellant are also questioned. However, as set out above, I have concluded that the proposed development is acceptable and a preference to retain the appeal site as existing is not a reason to withhold permission in this case. The motives of the appellant do not affect the planning merits of the case.'

Conclusions

The main issues relating to the application are the effect that it would have on the character of the area and the impact that it would have on the amenities of the occupants of surrounding residential properties. The impact on highway safety and trees are also considerations.

The proposal differs from that allowed on appeal in that it increases the depth of both houses by approximately 1.5m, increasing the scale of the buildings and altering the internal layouts. Elevationally, the dwellings will closely match the allowed scheme, with the increase in depth reflected in the flank elevations.

The principle of the development has been considered acceptable and therefore the current proposal must assess the increase in bulk. This would have a minimal impact on the character of the area, and the widths of the houses will remain as allowed at appeal, therefore the impact on the street scene will be negligible. The increase in depth will retain rear gardens that will be 10m and 17m long respectively. It is considered that the increase in footprint would not result in a development that would tip the balance of acceptability, with the proposal not considered to overdevelop or cramp the site as a result of the increase. The dwellings would sit comfortably in the site when compared to the allowed scheme.

Due to the separation of the dwellings from the houses surrounding the site, it is considered that the increase in size would not have a significant and harmful impact on the amenities of neighbouring dwellings. Plot 1 will be sited 5m from Fir Tree Cottage and the increase in depth would not result in a dwelling that is significantly extended to the front or rear of this property. Similarly, the impact on the new dwelling at Lyridon would be similar to that allowed at appeal.

The impacts on highway safety and trees are not considered to differ substantially to that previously considered.

Amended plans have been received dated 01/04/14 indicating a correction to the flank elevational drawings. Further drawings have been received dated 07/05/14 indicating a correction to the scaling of the plans. ;-

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 area. No impact on trees or highway safety would 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. 12/02300, 12/02908, 13/00906 and 14/00518 set out in the Planning History section above, excluding exempt information.

as amended by documents received on 01.04.2014 07.05.2014

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- 1 ACA01 Commencement of development within 3 yrs
ACA01R A01 Reason 3 years
- 2 No development shall take place until samples of the materials to be used in the construction of the external surfaces of the dwellings hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason: In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of the appearance of the building and the visual amenities of the area.

- 3 No development shall take place until there has been submitted to and approved in writing by the local planning authority a plan indicating the positions, height and type of boundary treatment to be erected. The approved boundary treatment shall be implemented before the dwellings are occupied and retained as such thereafter.

Reason: In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of visual amenity and the amenities of adjacent properties.

- 4 Before the occupation of the dwellings hereby permitted the first floor windows on the side elevations shall be fitted with obscured glass and shall be permanently retained in that condition.

Reason: In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of the amenities of the adjacent properties.

5 No dwelling shall be occupied until space has been laid out within the site, in accordance with the approved drawings, for vehicle circulation and parking. This space shall thereafter be kept available for such use at all times.

Reason: In order to comply with Policy T3 of the Unitary Development Plan and to avoid development without adequate parking or garage provision, which is likely to lead to parking inconvenient to other road users and would be detrimental to amenities and prejudicial to road safety.

6 Development shall not begin until details of surface water drainage have been submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented before the dwellings are occupied and retained as such thereafter.

Reason: To ensure satisfactory means of surface water drainage for the site.

7 None of the dwellings shall be occupied until works for the disposal of sewage have been provided on the site to serve the development hereby permitted, in accordance with details to be submitted to and approved in writing by the local planning authority.

Reason: To ensure satisfactory means of foul water drainage for the site.

8 In this condition retained tree means an existing tree that is to be retained in accordance with the approved plans and particulars, including the Quaife Woodlands report (Ref:AR/2920/ci), and paragraphs (i) and (ii) below shall have effect until the expiration of 1 year from the date of the first occupation of the dwellings hereby permitted.

i) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the local planning authority. Any topping or lopping approved shall be carried out in accordance with British Standard 3998 (Tree Work).

ii) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the local planning authority.

iii) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, including demolition and site clearance, and shall be maintained until development is complete and all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written approval of the local planning authority.

iv) No bonfires shall take place within 6m of the furthest extent of the spread of the canopy of any retained tree.

Reason: In order to comply with Policy NE7 of the Unitary Development Plan and to ensure that as many trees as possible are preserved at this stage, in the interest of amenity.

9 No development shall take place until details of the construction of the drive and vehicle parking and circulation space have been submitted to and

approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason: In order to comply with Policy T3 of the Unitary Development Plan and to avoid development without adequate parking or garage provision, which is likely to lead to parking inconvenient to other road users and would be detrimental to amenities and prejudicial to road safety.

10 No development shall take place, including demolition or site clearance, until wheel washing facilities have been provided on site. The facilities shall be retained as such until the development is complete. Any vehicle leaving the site shall first use the wheel washing facilities and any accidental accumulation of mud on The Drive, caused by vehicles associated with the development, shall be cleared by the end of the working day at the latest.

Reason: In the interest of pedestrian and vehicular safety and in order to comply with Policy T18 of the adopted Unitary Development Plan.

11 ACK01 Compliance with submitted plan

Reason: In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of the character of the area and the amenities of nearby residential properties.

INFORMATIVE(S)

1 In order to check that the proposed storm water system meets drainage requirements, we require that the following information be provided:

- A clearly labelled drainage layout 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.

2 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.

3 Before the use commences, the applicant is advised to contact the Pollution Team of Public Protection regarding compliance with the Control of Pollution Act 1974 and/or the Environmental Protection Act 1990

4 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)).

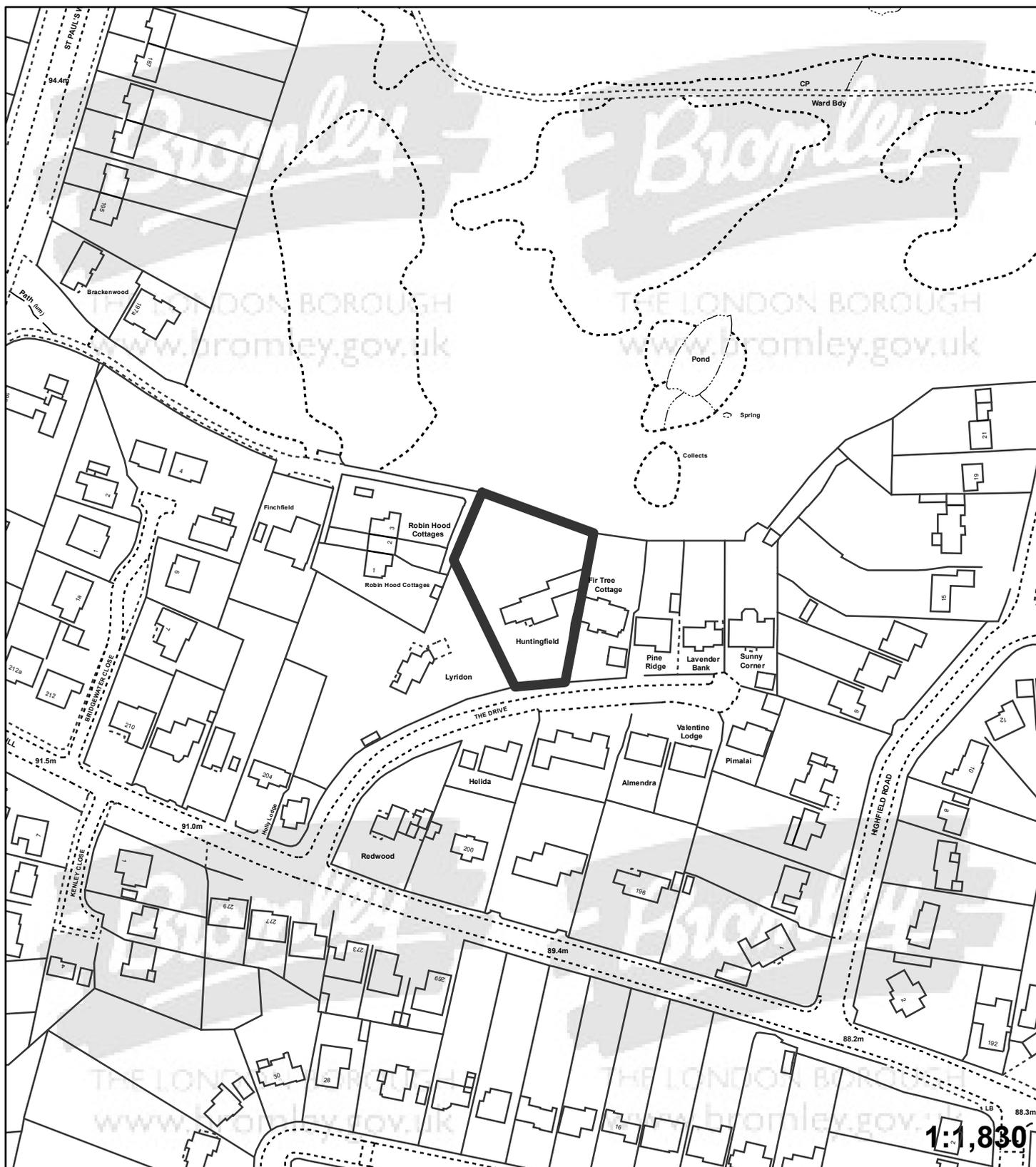
If you fail to follow the payment procedure, the collecting authority may impose surcharges on this liability, take enforcement action, serve a stop notice to prohibit further development on the site and/or take action to recover the debt.

Further information about Community Infrastructure Levy can be found on attached information note and the Bromley website www.bromley.gov.uk/CIL

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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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