

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

Application No : 14/00945/FULL1

Ward:
Chislehurst

Address : The Crest Raggleswood Chislehurst
BR7 5NH

OS Grid Ref: E: 543435 N: 169829

Applicant : Mr Timothy Joseph

Objections : YES

Description of Development:

Demolition of existing dwelling and erection of 2 detached two storey 5 bedroom dwellings with lower ground floor and roof accommodation and attached garage.

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

It is proposed to demolish the existing building, and construct 2 detached two storey 5 bedroom dwellings with lower ground floor and roof accommodation. Each would have an attached garage, and would be accessed from Raggleswood via existing drives.

The application is accompanied by an Arboricultural Report.

Conservation Area Consent was granted under ref.13/01177 for the demolition of the existing dwelling (when permission was granted under ref.13/01175 for a single replacement dwelling).

Location

This site lies on the corner of Raggleswood and Old Hill within Chislehurst Conservation Area, and is occupied by a large detached dwelling built in the Arts and Crafts style. The site measures 0.28ha and slopes downwards towards the rear.

Comments from Local Residents

Nearby residents were notified of the application and representations were received, including from The Chislehurst Society, which can be summarised as follows:

- loss of the existing dwelling would be harmful to the Conservation Area
- overlarge dwellings
- detrimental impact on the character and appearance of Chislehurst Conservation Area
- overlooking of Oak Lodge adjacent
- loss of outlook from houses opposite
- loss of light and privacy to Capulet
- overdevelopment
- scale, design and appearance of houses would be out of character with Raggleswood
- dwellings should be orientated further away from Oak Lodge
- flank windows should be obscure glazed.

Comments from Consultees

The Council's Highway Engineer has no objections to the proposals which provide an adequate level of parking to serve the development.

The Advisory Panel for Conservation Areas considers that the existing dwelling should not be demolished as it makes a positive contribution to the Conservation Area, and that the design of the replacement dwellings is of an urban character which is at odds with the character of the Conservation Area.

No drainage objections are seen to the proposals, and Thames Water has no concerns.

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
BE14 Trees in Conservation Areas
H7 Housing Density & Design
T3 Parking

Planning History

Permission was refused in December 2011 (ref.11/01999) for two replacement dwellings on the site for the following reasons:

1. The proposed development, by reason of its size, bulk and close proximity to the side boundaries, would result in a cramped form of development, detrimental to the character and spatial standards of Chislehurst

Conservation Area, thereby contrary to Policies H7, BE1 and BE11 of the Unitary Development Plan.

2. The proposed development would prejudice the retention and well being of a number of important trees on the site which are considered to make a significant contribution to the character and appearance of Chislehurst Conservation Area, and would therefore be contrary to Policies BE11 and BE14 of the Unitary Development Plan.

Conservation Area Consent for demolition of the existing dwelling was also refused under ref.11/02005 on the grounds of prematurity in the absence of a suitable replacement scheme.

The subsequent appeals were dismissed in August 2012 on grounds relating to a cramped and overlarge form of development, the close proximity to important trees on the site, the detrimental impact on spatial standards of Chislehurst Conservation Area, and the prematurity of allowing the demolition of the existing dwelling.

Permission was then refused for a revised scheme (refs. 12/03466 and 12/03467) on similar grounds, and the appeals were dismissed in August 2013.

Meanwhile, in June 2013, permission and Conservation Area Consent were granted under refs.13/01175 and 13/01177 respectively for the demolition of the existing dwelling, and its replacement with a single detached two storey 6 bedroom dwelling with accommodation in the roof and an integral double garage. The scheme has not yet been implemented.

Conclusions

The main issues in this case are the effect of the proposals on the character and appearance of Chislehurst Conservation Area, the impact on important trees on the site, and the effect on the amenities of occupants of nearby residential properties. The demolition of the existing dwelling has already been granted, and is not, therefore, under consideration.

In dismissing the most recent proposals for two dwellings on the site (ref.12/03466), the Inspector commented that the proposed dwellings would be large, bulky and dominant with wide facades (16.5m and 14.5m), a height of around 10m, and large roofs. The impact in the street scene would be exacerbated by the limited gap between the two dwellings of 3m, and would result in the proposals appearing as one large development. He considered that two storey development would be significantly closer to the side boundaries than the current dwelling, and that the scale and massing of the development would lead it to predominate over the trees on the site. The proposals would not, in his view, preserve the character and appearance of Chislehurst Conservation Area.

The current proposals have significantly amended the overall size and design of the development proposed by reducing the width of the facades to 13m (which would include a single storey garage to one side), reducing the height of the dwellings to 9.2m with a less bulky mansard style roof, and increasing the gap

between the dwellings to 6m. The two/three storey elements of the proposals would be set further back from the side boundaries than the previous schemes, giving a less bulky and cramped appearance within the street scene, and the proposals are not now considered to detract from the character and spatial standards of this part of Chislehurst Conservation Area.

With regard to protected trees on the site, the Inspector in the previous appeal found that the new dwellings would encroach within the root protection areas (RPA) of several trees, and although a "pile and beam" method of construction was proposed, this would only seek to minimise damage to roots rather than prevent it. The Inspector therefore considered that the proposals could result in harm to protected trees which are considered to make a positive contribution to the Conservation Area.

The current proposals have set the dwellings further away from the protected trees, and although there would still be a slight encroachment of two of the RPAs, this is not considered to be harmful to the trees, subject to safeguarding conditions.

With regard to the impact on neighbouring properties, the proposed dwelling nearest to Oak Lodge on Plot 1 has been reduced in size and width since the previous appeal scheme (which was not dismissed on residential amenity grounds), and would have a single storey garage to the north-western side which would lessen any impact on this property. It would be set back between 5.3-10m from the boundary with Oak Lodge, and would not project so far to the rear as in the previous scheme. The outlook from the rear of Oak Lodge may be affected by the rearmost part of the dwelling, as with the previous scheme, but this is not considered to be to such a degree to warrant a refusal. First and second floor windows in the facing flank elevation are to a staircase, landing and bathroom, and can be obscure glazed to prevent any overlooking of the adjacent property.

The dwellings on the opposite side of Raggleswood are set at a significantly higher level than the application site, and although the outlook from the front of these dwellings would be affected, it is not considered to be unduly harmful to the amenities of the occupiers of those dwellings.

In conclusion, the revised scheme for two dwellings on this site is considered to adequately overcome the previous Inspector's concerns, and the proposals would not, therefore, result in a significant loss of amenity to local residents nor impact detrimentally on important trees on the site nor on the character and appearance of Chislehurst Conservation Area.

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

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- | | | |
|----|---|--|
| 1 | ACA01 | Commencement of development within 3 yrs |
| | ACA01R | A01 Reason 3 years |
| 2 | ACA04 | Landscaping Scheme - full app no details |
| | ACA04R | Reason A04 |
| 3 | ACA07 | Boundary enclosure - no detail submitted |
| | ACA07R | Reason A07 |
| 4 | ACB18 | Trees-Arbicultural Method Statement |
| | ACB18R | Reason B18 |
| 5 | ACB19 | Trees - App'ment of Arboricultural Super |
| | ACB19R | Reason B19 |
| 6 | ACC01 | Satisfactory materials (ext'nl surfaces) |
| | ACC01R | Reason C01 |
| 7 | ACD02 | Surface water drainage - no det. submitt |
| | AED02R | Reason D02 |
| 8 | ACD06 | Sustainable drainage system (SuDS) |
| | AED06R | Reason D06 |
| 9 | ACH03 | Satisfactory parking - full application |
| | ACH03R | Reason H03 |
| 10 | ACH16 | Hardstanding for wash-down facilities |
| | ACH16R | Reason H16 |
| 11 | ACH27 | Arrangements for construction period |
| | ACH27R | Reason H27 |
| 12 | ACI02 | Rest of "pd" Rights - Class A, B,C and E |
| | ACI03R | Reason I03 |
| 13 | Before the development hereby permitted is first occupied, the proposed window(s) at first and second floor levels in the north-western flank elevation of the dwelling on Plot 1 shall be obscure glazed in accordance with details to be submitted to and approved in writing by the Local Planning Authority and shall subsequently be permanently retained as such. | |
| | ACI12R | I12 reason (1 insert) BE1 |
| 14 | ACK01 | Compliance with submitted plan |
| | ACK05R | K05 reason |
| 15 | ACK06 | Slab levels - compliance |
| | ACK06R | K06 reason |

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.

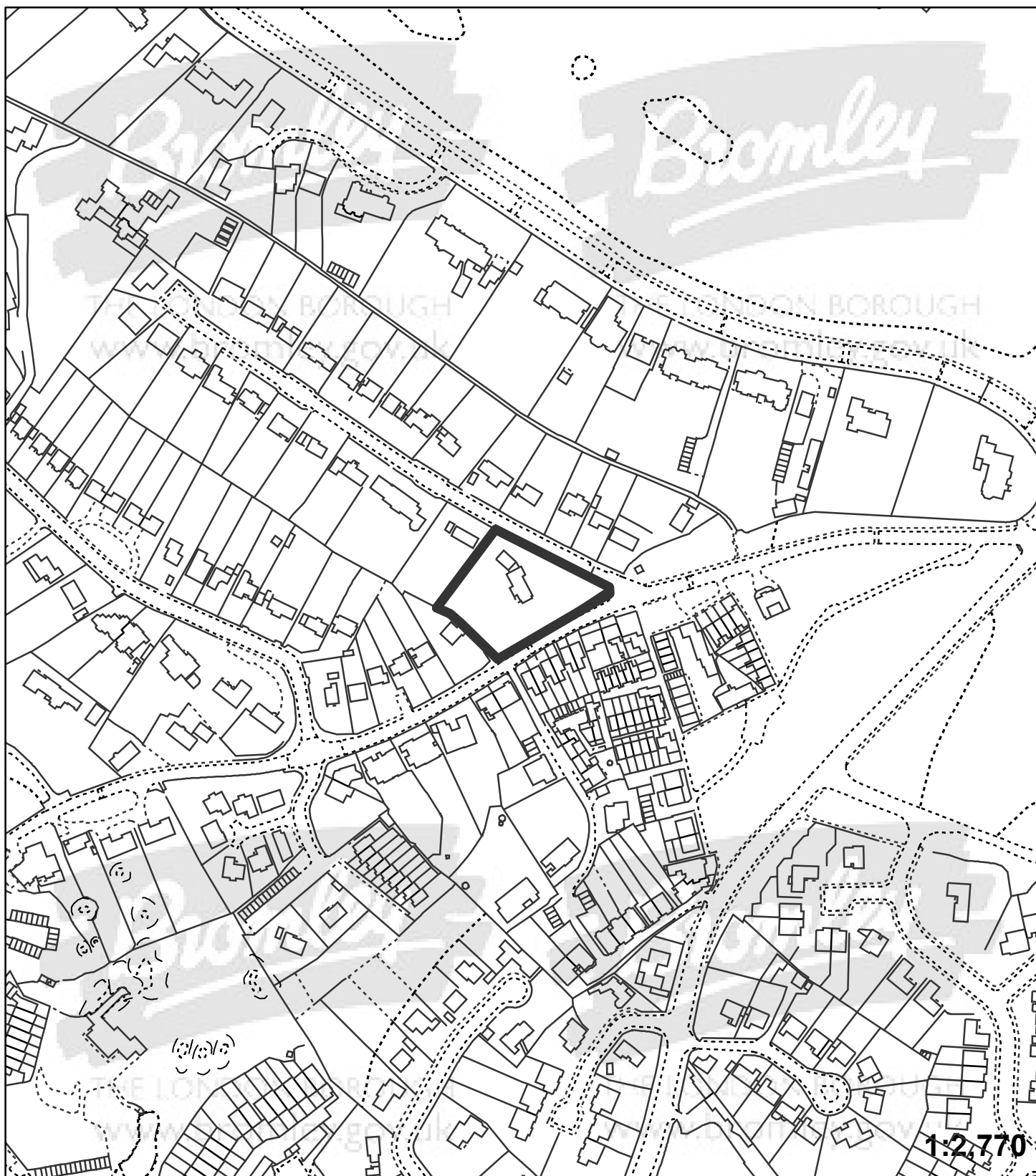
Further information about Community Infrastructure Levy can be found on attached information note and the Bromley website www.bromley.gov.uk/CIL

- 2 If during works on site suspected contamination is encountered, Environmental Health should be contacted immediately. The contamination shall be fully assessed and an appropriate remediation scheme submitted to the Local Authority for approval in writing.
- 3 Before works commence, the applicant is advised to contact the Pollution Team of Environmental Health & Trading Standards regarding compliance with the Control of Pollution Act 1974 and/or the Environmental Protection Act 1990.

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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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