

SECTION '2' – Applications meriting special consideration

Application No : 14/04531/FULL1

Ward:
Chislehurst

Address : 37 High Street Chislehurst BR7 5AE

OS Grid Ref: E: 543883 N: 170764

Applicant : Priority Properties Ltd

Objections : NO

Description of Development:

Demolition of existing buildings and construction of a two storey building to accommodate 6 two bedroom and 2 one bedroom dwellings with separate office unit (Class B1), associated parking, amenity space, bin and cycle storage on land to the rear of Nos. 35-41 High Street, Chislehurst.

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 erection of a two storey building comprising 6 two-bedroom and 2 one-bedroom dwellings with separate office unit and associated parking and landscaping. Most of the buildings that previously existed at the site have been demolished, although some structures remain adjacent to the retained buildings which front the High Street.

The building will form an L-shape which will extend to a depth of approximately 33.5m adjacent to the southern boundary and 22m in length along its northern return. The building will vary in width between 7.5m and 9.5m and rise to a maximum height of approximately 8.0m (including a hipped roof element). The proposed building will adopt a Georgian appearance. A communal garden area will be provided to the western side of the site. A total of nine off-street parking spaces are proposed within the development.

The application is accompanied by a Design and Access Statement which incorporates a Heritage Statement.

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 raised no objection in view of the previous planning permission (ref. 14/00482) which has been granted for the site.

Following receipt of a revised parking layout (received on 24.2.15) which reduces the total number of parking spaces from 11 to 9, from a technical Highways perspective this is considered to allow for easier access and turning (compared to the initial proposal). However, the proposed cycle parking area is considered to be located too far away from the car park/main entrance, and residents of the proposed flats would be unlikely to use it.

No technical drainage objections are raised.

The Metropolitan Police Secured by Design officer has commented that a secure by design condition should be imposed on any permission.

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

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
London Plan Policy 3.5 Quality and Design of Housing Developments
The Mayor's Housing Supplementary Planning Guidance (SPG) November 2012

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 outline planning permission (ref. 90/01010) was refused for a two storey building for retail use of the ground floor and office use at first floor level.

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."

The 2013 application was subsequently dismissed at appeal, although the first refusal ground was not upheld.

Under ref. 14/00482, planning permission was granted in April 2014 in respect of the demolition of existing buildings within the site and the 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. That scheme has not been implemented, although the existing buildings within the site have been demolished. That application differed from the 2013 scheme 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.

Under ref. 14/04711, an application for a first floor extension and conversion of existing office building into 2 one-bedroom maisonettes within the adjoining site at the rear of No 33 High Street was refused permission in January 2015.

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.

In comparison to the scheme permitted under ref. 14/00482, the site area has been enlarged by incorporating land at the rear of No 41 High Street in order to extend the depth of the northern return from approximately 17m to 22m. In addition, an undercroft area previously proposed at ground floor level within the northern return will be infilled by additional accommodation. Accordingly, there is an even more substantial enlargement of the ground floor area. The total number of units proposed has been increased from 4 two-bedroom and 2 one-bedroom flats and 1 two-storey Class B1 office to 6 two-bedroom and 2 one-bedroom dwellings with separate office unit. In essence, it is necessary to consider the impact of the enlarged ground and first floor element, taking account of the scheme permitted under ref. 14/00482.

Whilst the overall site area has been increased as a result of the incorporation of additional land situated at the rear of No 41, concerns are raised in respect of the overall site coverage and massing of the building which will increase considerably with the width of the rear (western) elevation extending to 22m. It is considered that the wider structure will appear a lot more dominant, particularly from views at the rear at Nursery Gardens which will serve to undermine the character and spatial standards of the Conservation Area. Given the scale of the proposal, which will be well in excess of the previously-permitted scheme and uncharacteristic of any other development immediately to the rear of Chislehurst High Street, it is considered that this proposal represents an overdevelopment of the site. The proposal fails to respect or complement the layout, scale, form of existing buildings and spaces, or indeed complement existing landscape or other features that contribute to the character, appearance or historic value of the area.

As noted above, technical Highways objections have been raised in respect of the location of the proposed cycle parking area which is remote and isolated and will be unlikely to be used. This proposed siting is considered to result from the cramped nature of the proposed development, leaving limited usable space for purposes other than parking and manoeuvring forward of the proposed dwellings. As a consequence, the proposal will not be conducive to encouraging cycle use, to the detriment of promoting sustainable transport use and enhancing general highway conditions in the area.

Despite the fact that the proposal includes single aspect accommodation, in view of the Inspector's findings relating to application ref. 13/02814 (where the Inspector

did not uphold the Council's objection in this regard) the principle of single aspect accommodation that forms part of the scheme has been accepted.

From a Highways perspective, whilst the revisions made in response to previous highways concerns are considered to result in improved access and turning within the site, these considerations do not outweigh concerns raised in the preceding paragraph relating to the overdevelopment of the site and the adverse impact on the Conservation Area.

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

as amended by documents received on 24.02.2015

RECOMMENDATION: APPLICATION BE REFUSED

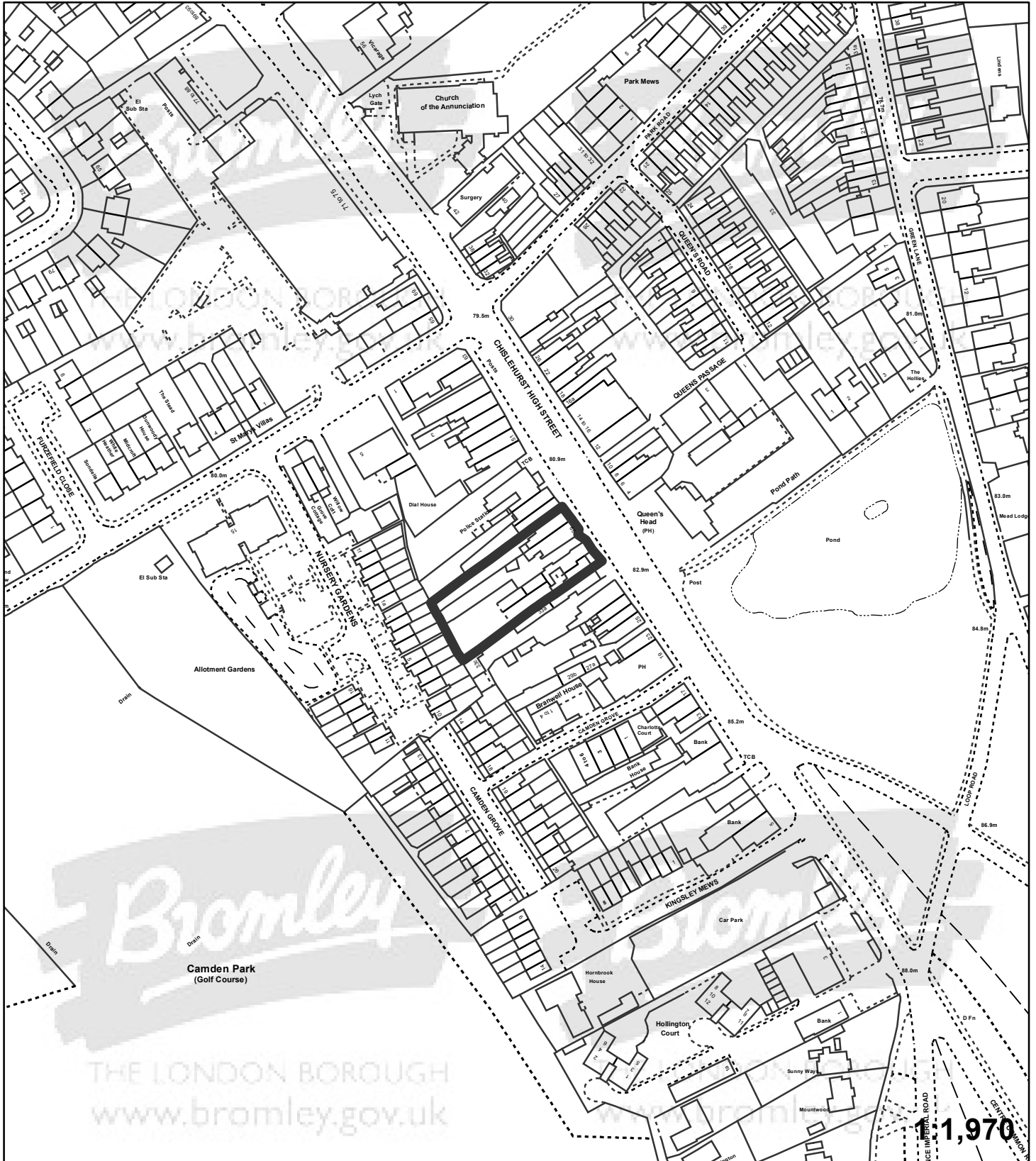
The reasons for refusal are:

- 1 The proposal constitutes a cramped and over-imposing overdevelopment of the site and, if permitted, would establish an undesirable pattern for similar piecemeal infilling in the area, resulting in a retrograde lowering of the standards to which this part of the Chislehurst Conservation Area is at present, contrary to Policies H7, BE1 and BE11 of the Unitary Development Plan, and the Supplementary Planning Guidance for the Chislehurst Conservation Area.
- 2 The location of the proposed cycle parking area is unsatisfactory and will not be conducive to encouraging cycle use, to the detriment of promoting sustainable transport use and enhancing general highway conditions in the area, contrary to Section 4 of the National Planning Policy Framework - Promoting Sustainable Transport.

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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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