

SECTION '2' – Applications meriting special consideration

Application No : 15/00839/FULL1

Ward:
Chislehurst

Address : 6 The Meadow Chislehurst BR7 6AA

OS Grid Ref: E: 544197 N: 170780

Applicant : Mr And Mrs D & K Boughey

Objections : YES

Description of Development:

Demolition of existing house and erection of replacement four bedroom dwelling with detached garage

Key designations:

Conservation Area: Chislehurst
Biggin Hill Safeguarding Birds Aldersmead Road
Biggin Hill Safeguarding Area
London City Airport Safeguarding
London City Airport Safeguarding Birds
Smoke Control SCA 16

Proposal

The proposal is for the demolition of the existing dwelling, and the construction of a replacement four bedroom dwelling.

The site is located on the eastern side of The Meadow and occupies a prominent corner plot at the junction with Heathley End. The site backs on to the Western Boundary of No 1 Heathley End.

The proposed dwelling is substantially larger than the existing. The applicant has advised that the proposed dwelling will have a floor area of 294.39 sq m (GIA) (including detached garage), which compares with the existing dwelling which has a floorspace of 146.22 sq m (including attached garage).

The proposed dwelling is two storeys (with no accommodation proposed in the roofspace) with a single storey element to the rear adjacent to the boundary with No.8 The Meadow. No.8 also has a single storey rear extension and the single storey element of the proposed dwelling will project approximately 3.3m beyond this.

The main part of the proposed dwelling is located approximately 1.28m from the boundary with No.8 The Meadow, with the single storey rear element built up to the boundary. The southern boundary of the site is with the access road to Heathley

End. The proposed dwelling is set in from this boundary by approximately 4.2m, but a detached garage is also proposed that abuts the boundary.

The height of the proposed dwelling is approximately 9.1m at its highest point. A plan of the existing dwelling has not been provided, so it is not possible to confirm the difference in height when compared to the existing.

The proposed dwelling will be constructed of brickwork with stone banding. The roof will be set behind a parapet with stone coping and centre gables to the front and rear elevations. The front elevation includes a feature window with a curved head within the front gable.

The area is characterised by properties of a range of types, sizes and styles.

The site is located within the Chislehurst Conservation Area.

Comments from Local Residents

Letters of objection:

A number of letters of objection have been received and the comments contained therein are summarised below:

- Trees have been cut down/removed on the site already. Neighbours have advised that this appears to have been a deliberate pre-emptive strike to facilitate planning permission for a new detached garage and change of access where the trees were located.
- The applicants recently purchased the property and most of the mature trees were cut down on the day of exchange without the required consent and six week notice period.
- Sympathetic restoration potentially with a rear extension would be more appropriate given the design and nature of the existing building;
- We are losing too many of the old buildings in Chislehurst and their replacements are not necessarily an enhancement to the village;
- Development is unnecessarily close to No.8 the Meadow, why can't it be moved so that it adjoins Heathley End and thus does not encroach on other properties;
- The current house is not detrimental to the area and should not be demolished as this is in clear contravention of Council policies, any new building would need to be in character with other houses in the street;
- The proposed development is inappropriate in size and design. It does not enhance or complement the surrounding properties and is not in keeping with the Conservation Area.
- As a result of its size, bulk and dominance the proposed dwelling would be contrary to policies H9, BE1 and BE11 of the UDP;
- No objections to a replacement dwelling, but it should be of more modest proportions;
- The new building has doubled in size from the original cottage and it does not retain any of the original dwellings charm or character;

- The proposal overwhelms the entrance to Heathley End;
- The street would be compromised and restricted;
- The proposed house does not preserve or enhance the Conservation Area and the design does not complement the surrounding properties;
- The house is by Architect EJ May, it is possibly one of the smallest designs and is likely to be the last one in its original conditions. With sensitive renovation this cottage could indeed be a positive contribution to the streetscene and worthy of rescue.
- The application is to demolish the existing property entirely and replace it with a building of inappropriate scale and design which would have a negative impact on the Conservation Area and the streetscene.
- The cottage has historical and cultural significance in the Conservation Area and therefore should not be demolished;
- In the event that demolition is approved the design and location of the proposed new dwelling should be substantially amended;
- Proposed new materials and use of red stock brick are not in keeping with the streetscene;
- Although the design of the house is attractive, the proposal would create a massive house overshadowing its neighbours;
- The proposed roof is higher than that of neighbouring properties and would create an overbearing presence in the area, the height of the development should be scaled down to fit into the general height of the surroundings;

A letter has been received from the Chislehurst Society. It considers that the existing dwelling is not of sufficient design or historical quality to warrant inclusion on the Local List, although it acknowledges that its colleagues within the Local History Group of the Society may conclude differently. It has indicated that it has no in-principle objection to the redevelopment of the Cottage although it does not wish to see any demolition works until planning permission is granted for a replacement building.

In terms of more specific design matters, the Chislehurst Society considers that the style of fenestration, the front extension incorporating the entrance and gallery above, and the incorporation of a parapet wall at eaves level all serve to emphasise the size of the front elevation, and its visual impact on the street scene in comparison with the adjacent dwellings. The Society also highlights the presence of a side window in the north elevation which it considers will be detrimental to the occupants of No.8 in terms of loss of privacy. The Society requests that if permission is recommended this window is obscure glazed.

Letters of Support:

Two letters of support has been received and these comments are summarised as follows:

- No.6 The Meadow was uninspiring, a poor example of architecture and too basic for modern needs, its replacement with a characterful home built to meet today's needs should be embraced;
- A well designed and sympathetic development

Comments from Consultees

Highways

Highways has raised no objection subject to Conditions.

APCA

APCA strongly objects to the demolition of the building which is by a noted architect - E.J. May - and which they consider makes a positive contribution to the Conservation Area and also collectively with other E.J. May buildings in the area. Demolition would be contrary to SPG paras 4.8 & 9 UDP policy BE7 & NPPF policy.

The proposed new design is grossly overlarge and out of character with the area and of poor and inappropriate design

Heritage and Design

The Council's Heritage and Design Officer has advised that the existing house was designed by local architect EJ May. Whilst APCA has objected to its loss, he notes the Chislehurst Society accepts that redevelopment would be possible. His view is therefore that, whilst it is of some interest that EJ May designed the building, it is not of the same standard as other EJ May houses, and its architectural merit is limited. In conclusion, he considers that it makes a neutral contribution and therefore redevelopment would be acceptable.

He also advises that the proposed replacement house is substantially larger and more side space could have been afforded to the boundary with No. 8. The central staircase window on the principal elevation is also quite dominant and would ideally be scaled back. In the event that the application is recommended for permission conditions C01, C03 are recommended.

The suggestion that the property should be included on the Local List was considered by the Council's Heritage and Design Officer who assessed it against the criteria contained in the Locally Listed Buildings SPG. It was concluded that the building did not reach the required standard.

Trees

The proposal indicates the retention of all major existing trees. These comprise 2 mature oak trees located to the front garden as well as mature ash, false cypress, oak, and hornbeam within the rear garden. The footprint of the new dwelling house is clear of major trees and root protection areas.

Alterations to the vehicular access and hardstanding at the front of the property are likely to impact upon the root protection area of a single oak tree located closest to the southern boundary.

The site appears to have been recently cleared of some trees and mature shrubs. A future redevelopment of this site should include a scheme of soft landscaping to be submitted for approval.

The footprint of the new proposal is unlikely to have significant impact upon existing trees, however modifications to the arrangement at the front of the site is likely to impact upon 1 individual oak tree, of which is worthy of retention. No arboricultural impact assessment appears to have been undertaken and I would recommend that we seek this information as well mitigation proposals, tree protection plan and method statement.

Environmental Health

No objection

Drainage and Waste Water

No objection subject to the imposition of a surface water drainage condition.

Thames Water

No Objections

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
- BE12 Demolition in conservation areas
- H1 Housing Supply
- H7 Housing Density and Design
- H9 Side Space
- NE7 Development and trees
- T3 Parking
- T7 Cyclists
- T18 Road Safety
- ER7 Contaminated Land

- SPG No.1 - General Design Principles
- SPG No.2 - Residential Design Guidance

London Plan (March 2015)

- Policy 3.3 Increasing Housing Supply.
- Policy 3.4 Optimising Housing Potential
- Policy 3.5 Quality and design of housing developments
- Policy 3.8 Housing choice
- Policy 5.1 Climate change mitigation

Policy 5.2 Minimising carbon dioxide emissions
Policy 5.3 Sustainable design and construction
Policy 5.7 Renewable energy
Policy 5.9 Overheating and cooling
Policy 5.10 Urban greening
Policy 5.11 Green roofs and development site environs
Policy 5.12 Flood risk management
Policy 5.13 Sustainable drainage
Policy 5.14 Water quality and wastewater Infrastructure
Policy 5.15 Water use and supplies
Policy 5.16 Waste net self-sufficiency
Policy 5.17 Waste capacity
Policy 5.18 Construction, excavation and demolition waste
Policy 5.21 Contaminated land
Policy 6.5 Funding Crossrail and other strategically important transport infrastructure
Policy 6.9 Cycling
Policy 6.13 Parking
Policy 7.2 An inclusive environment
Policy 7.3 Designing out crime
Policy 7.4 Local character
Policy 7.8 Heritage Assets and Archaeology
Policy 7.6 Architecture
Policy 8.2 Planning obligations
Policy 8.3 Community infrastructure levy

London Plan Supplementary Planning Guidance (SPG)

Housing: Supplementary Planning Guidance. (November 2012)

Planning History

There is no relevant planning history on the site.

Conclusions

The main issues to be considered in respect of this application are:

- Principle of Development
- Design
- Standard of Residential Accommodation
- Highways and Traffic Issues
- Impact on Adjoining Properties
- Sustainability and Energy

The application site was visited by the case officer and the aims and objectives of the above policies, national and regional planning guidance, all other material planning considerations including any objections, other representations and relevant planning history on the site were taken into account in the assessment of the proposal.

Principle of Development

The site is located within the Chislehurst Conservation Area, Policy BE12 relates to the demolition in conservation areas. The policy relates to schemes that involve the demolition of unlisted buildings that make a positive contribution to conservation areas and it sets out the criteria against which these should be assessed. Whilst there have been a number of objections from local residents to the loss of this building and a request for it to be included on the Local List as it is an example of Architect E J May's work, the Council's Heritage and Design officer has visited the property and considers that the building is not of sufficient architectural or historical merit to warrant protection. In his view the property makes a neutral contribution to the Conservation Area and therefore redevelopment would be acceptable. It is also noted that the Chislehurst Society has not objected to the demolition and redevelopment of this property.

In terms of the proposed replacement dwelling, Policy H7 of the UDP sets out criteria to assess whether new housing developments are appropriate subject to an assessment of the impact of the proposal on the appearance/character of the surrounding area, the residential amenity of adjoining and future residential occupiers of the scheme, car parking and traffic implications, community safety and refuse arrangements.

The proposal is for a replacement dwelling, so the general principle of its replacement is considered to be acceptable subject to an assessment of the issues highlighted above.

Design, Siting and Layout.

The site occupies a prominent position in Meadow Way located at the junction with Heathley End. The site has had a rather unkempt appearance for some time due to a lack of maintenance by the previous owners, but is considered to have the potential to make a contribution to local visual amenity and the character and appearance of the Conservation Area, particularly given its prominent and exposed position.

The proposal replaces a relatively modest dwelling with a bold, modern and far larger one that will result in built development (albeit in the form of a detached garage and single storey rear addition) up to both boundaries. It is considered that the scale and massing of the proposed dwelling combined with the quantum of the site covered by buildings will significantly alter the streetscene on this corner of The Meadow. However, there are a range of types, sizes and styles of dwellings in this part of the Conservation Area.

Whilst it is not considered that the residential amenities of the surrounding occupiers will be affected by this proposal, it is considered that the replacement dwelling will result in a material change to the street scene due to the scale of the proposal on this prominent corner plot.

Individual views on the design and the impact of the proposed replacement dwelling on the streetscene and Conservation Area are subjective. Members will

need to consider whether the scale and massing of the proposed dwelling is such that it will preserve and enhance the character and appearance of the Conservation Area.

Standard of Residential Accommodation

Policy 3.5 of the London Plan (2011) Quality and Design of Housing Developments states the minimum internal floorspace required for residential units on the basis of the level of occupancy that could be reasonably expected within each unit.

Policy BE1 in the Adopted UDP states that the development should respect the amenity of occupiers of future occupants.

The floor space of the house is approximately 294.39m². Table 3.3 of the London Plan requires a Gross Internal Area of 100m² for a 4 bedroom 5 person dwelling house.

The shape, room size and layout of the rooms in the proposed building is considered to be satisfactory. None of the rooms would have a particularly convoluted layout which would limit their use. All habitable rooms would have satisfactory levels of light and outlook.

In terms of amenity space, the remaining garden space remains comparable with similarly sized properties in the vicinity and of sufficient proportion to provide a usable space for the purposes of a four bedroom dwellinghouse.

Car parking

The proposal has a good sized garage and other car parking is available on the frontage and the Council's Highways Officer has not raised any objection in this regard subject to the inclusion of conditions. It is considered the proposal would generally be in accordance with UDP Policy T3 and Policy 6.13 of the London Plan (2011).

Cycle parking

Cycle parking is generally required to be 1:1 for residential development. The applicant has not provided details of a location for lockable cycle storage for the unit although there is room for a shed in the rear garden which would be considered suitable.

Refuse

All new developments shall have adequate facilities for refuse and recycling. The applicant has not provided details of refuse storage for the unit but this can be dealt with by condition.

Impact on Adjoining Properties

Whilst the proposed dwelling is substantially larger than the one that it replaces, the main front and rear elevations are in line with the adjoining property. There is a single storey addition to the rear that projects approximately 3.3m beyond the existing single storey rear extension at No.8, however, in view of the orientation this is not considered likely to result in any material loss of light to No.8.

In terms of outlook, the arrangement of the fenestration is considered acceptable. A flank window is located at first floor level on both the north and south flank elevations to allow bedrooms to be dual aspect. Obscure glazing is recommended to both of these windows to maintain a suitable level of privacy to the occupiers of adjoining properties.

The proposal is not considered to result in adverse impacts on the residential amenities of the adjoining properties, and any impact would be restricted to the visual amenities, which is considered to be subjective.

Sustainability and Energy

Policy 5.3 Sustainable Design and Construction of the London Plan states that the highest standards of sustainable design and construction should be achieved in London to improve the environmental performance of new developments and to adapt to the effects of climate change over their lifetime. Policy 5.2 Minimising Carbon Dioxide Emissions of the London Plan states that development should make the fullest contribution to minimising carbon dioxide emissions in accordance with the hierarchy; Be Lean: use less energy; Be clean: supply energy efficiently and Be green: use renewable energy.

The applicant has not submitted a Sustainable Homes pre-assessment document in respect of the above policies.

Lifetime Homes

The applicant has not confirmed that the development will be Lifetime Homes compliant.

Summary

It is considered that the existing property is not of sufficient architectural or historical merit to warrant protection, and in the event that a suitable replacement is proposed the principle of the demolition of the existing dwelling and its replacement has been accepted.

The proposal is for a replacement dwelling that is substantially larger than the one that it replaces and will result in built development (albeit at single storey level in the form of a detached garage and single storey rear element) that will occupy the full width of the plot. Despite its size, it is not considered that the proposal will result in an unacceptable impact on the residential amenities of neighbouring occupiers, subject to suitable conditions being imposed on any permission.

In terms of the design of the proposed dwelling and its impact on the Conservation Area, this part of the Conservation Area is characterised by a range of sizes, types and styles of dwellings, including a number of large and modern dwellings. On balance the design and impact on the Conservation Area is considered to be acceptable.

The proposal would not have an adverse impact on the local road network or local parking conditions.

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 The development to which this permission relates must be begun not later than the expiration of 3 years, beginning with the date of this decision notice.

Reason: Section 91, Town and Country Planning Act 1990.

- 2 Details of a scheme of landscaping, which shall include the materials of paved areas and other hard surfaces, shall be submitted to and approved in writing by the Local Planning Authority before first occupation of the development hereby permitted. The approved scheme shall be implemented in the first planting season following the first occupation of the buildings or the substantial completion of the development, whichever is the sooner. Any trees or plants which within a period of 5 years from the substantial completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species to those originally planted.

Reason: In order to comply with Policy BE1 of the Unitary Development Plan and to secure a visually satisfactory setting for the development.

- 3 Details of the materials to be used for the external surfaces of the building shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced. The works 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.

- 4 Details of the windows (including rooflights and dormers where appropriate) including their materials, method of opening and drawings showing sections through mullions, transoms and glazing bars and sills, arches, lintels and reveals (including dimension of any recess) shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced. The windows shall be installed 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.

5 Details of a surface water drainage system (including storage facilities where necessary) shall be submitted to and approved in writing by the Local Planning Authority before any part of the development hereby permitted is commenced and the approved system shall be completed before any part of the development hereby permitted is first occupied, and permanently retained thereafter.

Reason: To ensure satisfactory means of surface water drainage and to accord with Policy 4A.14 of the London Plan.

6 Before commencement of the use of the land or building hereby permitted parking spaces and/or garages and turning space shall be completed in accordance with the approved details and thereafter shall be kept available for such use and no permitted development whether permitted by the Town and Country Planning (General Permitted Development Order 1995 (or any Order amending, revoking and re-enacting this Order) or not shall be carried out on the land or garages indicated or in such a position as to preclude vehicular access to the said land or garages.

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.

7 While the development hereby permitted is being carried out a suitable hardstanding shall be provided with wash-down facilities for cleaning the wheels of vehicles and any accidental accumulation of mud of the highway caused by such vehicles shall be removed without delay and in no circumstances be left behind at the end of the working day.

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

8 Surface water from private land shall not discharge on to the highway. Details of the drainage system for surface water drainage to prevent the discharge of surface water from private land on to the highway shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of works. Before any part of the development hereby permitted is first occupied, the drainage system shall be completed in accordance with the approved details and shall be retained permanently thereafter.

Reason: To ensure satisfactory means of surface water drainage and to accord with Policy 4A.14 of the London Plan and Planning Policy Statement 25.

9 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order amending, revoking and re-enacting this Order) no building, structure or alteration permitted by Class A, B, C, or E of Part 1 of Schedule 2 of the 1995 Order (as amended), shall be erected or made within the curtilage(s) of the dwelling(s) hereby permitted without the prior approval in writing of the Local Planning Authority.

Reason: To protect the amenities of the adjoining residents in order to comply with Policies H7 and BE1 of the Unitary Development Plan.

10 No windows or doors additional to those shown on the permitted drawing(s) shall at any time be inserted in the flank elevation(s) of the building hereby permitted, without the prior approval in writing of the Local Planning Authority.

Reason: In order to comply with Policies BE1 and H7 of the Unitary Development Plan and in the interest of the amenities of the adjacent properties.

11 The development hereby permitted shall not be carried out otherwise than in complete accordance with the plans approved under this planning permission unless previously agreed in writing by the Local Planning Authority.

Reason: To protect the amenities of the adjoining residents in order to comply with Policies H7 and BE1 of the Unitary Development Plan.

12 ACH26 Repair to damaged roads

ACH26R Reason H26

13 ACH29 Construction Management Plan

ACH29R Reason H29

14 ACI11 Obscure glaz'g/details of opening (1 in) located at first floor level on the flank elevations

ACI11R Reason I11 (1 insert) H7 and BE1

15 No development shall commence until an arboricultural impact assessment for the protection of trees shown retained both on and immediately adjoining the site and as described by British Standard BS 5837:2012 is submitted to and approved in writing by the Local Planning Authority. The arboricultural impact assessment shall be accompanied by a tree protection plan and method statement detailing means of any special methods of construction for excavation, foundations and new hardsurfaces. Once approved the works shall be implemented as specified in the method statement prior to the commencement of work on site, and shall be maintained to the Local Planning Authority's reasonable satisfaction until the completion of the development.

ACB18R Reason B18

INFORMATIVE(S)

1 You should consult the Land Charges and Street Naming/Numbering Section at the Civic Centre on 020 8313 4742 or e-mail: address.management@bromley.gov.uk regarding Street Naming and Numbering. Fees and application forms are available on the Council's website at www.bromley.gov.uk

2 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.

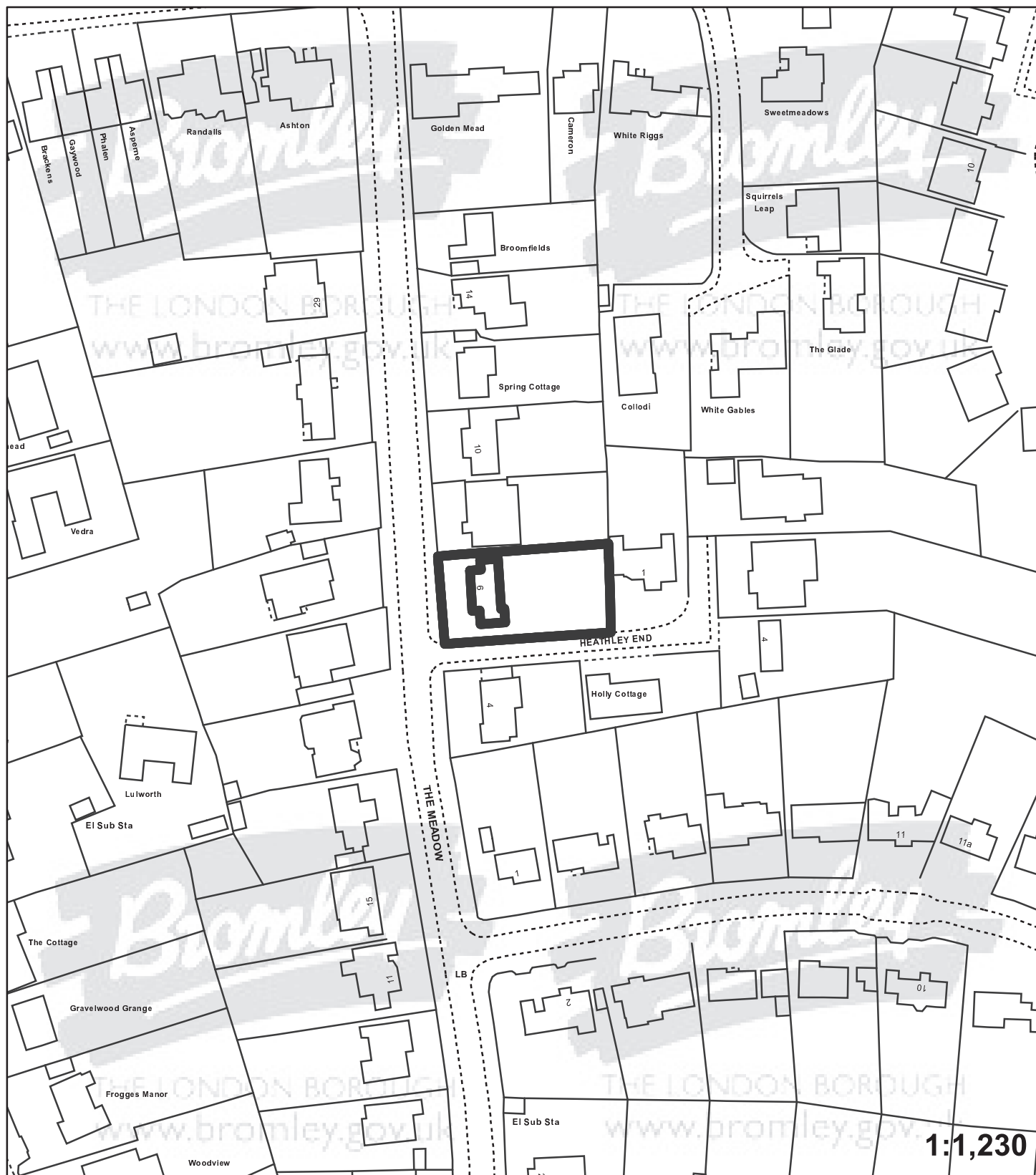
Further information about Community Infrastructure Levy can be found on attached information note and the Bromley website www.bromley.gov.uk/CIL

- 3 Before the use commences, 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.

Application:15/00839/FULL1

Address: 6 The Meadow Chislehurst BR7 6AA

Proposal: Demolition of existing house and erection of replacement four bedroom dwelling with detached garage



"This plan is provided to identify the location of the site and should not be used to identify the extent of the application site"

Page 96