

## **SECTION '2' – Applications meriting special consideration**

**Application No :** 15/01930/FULL1

**Ward:**  
**Chislehurst**

**Address :** 6 The Meadow Chislehurst BR7 6AA

**OS Grid Ref:** E: 544197 N: 170780

**Applicant :** Mr & Mrs D & K Boughey

**Objections :** YES

### **Description of Development:**

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

Key designations:

Conservation Area: Chislehurst  
Biggin Hill Safeguarding Birds  
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. This application seeks a revision to the design that was recently granted planning permission (Ref: 15/00839). The configuration of the built development has been amended with the detached garage now attached to the main building on the northern side of the dwelling. A side space of 0.5m is maintained between the proposed flank elevation of the building and the boundary with No. 8 The Meadow. The building is therefore positioned closer to the southern boundary with a side space of 2.042m maintained between the built development and the southern boundary.

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 320 sq m (GIA). The existing dwelling has a floorspace of 146.22 sq m (including attached garage).

The proposed dwelling is two storeys with a single storey element to the rear. 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 flank wall of the proposed dwelling will now be 2.4m away from the boundary with No.8.

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 quoin detailing on the building has also been changed on the revised drawings.

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

The site is located within the Chislehurst Conservation Area.

### **Consultations**

A number of letters of objection have been received in respect of this proposal and these are summarised as follows:

- The proposed development is grossly overdeveloped and disproportionately large in comparison to the site;
- Cannot see the necessity for the demolition of the existing building which although in need of refurbishment is not in need of demolition and is in keeping with the surrounding housing of a similar period;
- The proposed development seeks to maximise the financial potential as opposed to enhancing the conservation area.
- The new design of the property has the windows revealed to No 4 The Meadow while in the original drawing there was a garage in situ which would have obscured this;
- With the removal of the hedge/fence line to the South aspect in recent gardening works, No.4 will now be overlooked by these windows;
- Concerns re large size of the build footprint as it was canvassed to neighbours that the intention was to renovate the property rather than tear it down.

### **Letters of Support**

A letter of support has been received from a representative of a local estate agent whose comments are summarised below:

- I supported the first application and am fully behind the revised application as it creates a home befitting the road within the Chislehurst Conservation Area;
- Whilst opinions on design are subjective, this is a traditional design that the vast majority would agree is acceptable;
- I understand that the revised application is taking account of neighbours concerns during the first application and the applicant not wishing to endure a hostile relationship once they occupy their new property. The applicant should be applauded for being so considerate at a considerable cost to them.

### **Comments from Consultees**

Highways - Highways raised no objection subject to Conditions

APCA

APCA has repeated its previous comments. It 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 repeated his previous comments. He 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.

The loss of the side space through the construction of the garage is considered to be regrettable, however, the applicant has revised the scheme to reduce the width of the garage and on balance this is considered to be an acceptable compromise.

He also advises that the proposed replacement house is substantially larger than the original dwelling. 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

Both existing trees located at the front of the site are now shown to be removed in order to accommodate changes to the vehicular access. The trees are suitable for retention and their removal will impact on the visual character of the streetscape.

The application proposes the removal of both trees and that they will be replaced with 2 No Advanced Nursery Stock-Malus 'Evereste'. At their current size both existing trees could be readily replaced, however, larger stock should be provided 5.5m high 200 LP trees, with an open mind on species selection so this can be tied into the wider landscaping detail of the site.

The layout is unlikely to affect the remaining existing trees to the rear of the site, however a tree protection plan should be provided as well as a landscape planting plan.

#### 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:

- o Principle of Development
- o Design
- o Standard of Residential Accommodation
- o Highways and Traffic Issues
- o Side space and Impact on Adjoining Properties
- o 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

As planning permission was granted for a replacement dwelling under planning application ref 15/00839 the principle of a replacement dwelling on this site has already been established. Therefore, the consideration of this application should focus primarily on the changes to the scheme.

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. The principle of the demolition of the existing building has already been accepted under application Ref: 15/00839. Whilst there have been 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 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.

#### 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 closer 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 and the principle of a substantial replacement dwelling has already been accepted.

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. The proposal is similar to that granted under Ref: 15/00839, however, the detached garage has been deleted from the proposal and is replaced with an attached garage to the northern flank elevation of the main property. A side space of 0.5m is maintained to the flank boundary with No.8, Whilst this does not comply with policy H9 the applicant has highlighted that there are a number of other properties in The Meadow which do not have a full 1m side space to their flank boundaries. The applicant has revised the drawings to increase the sidespace from 0.3m to 0.5m and the conservation officer has accepted this as a suitable compromise.

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 absence of a 1,m side space in this location is detrimental to 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 320 sq m. Table 3.3 of the London Plan requires a Gross Internal Area of 100m<sup>2</sup> 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 principle of a substantial replacement dwelling has already been established under application Ref: 15/00839.

The proposal is for a replacement dwelling that is substantially larger than the one that it replaces and will result in built development closer to both boundaries. 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.

The revisions bring the main two storey element of the built development further away from No.8. The impact of the proposal on No.4 in terms of overlooking is considered to fall within acceptable levels and can be suitably mitigated with appropriate boundary screening which can be controlled by condition.

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**

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

- 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** Prior to the commencement of the development hereby permitted, a survey of the condition of the road shall be submitted and agreed by the Local Planning Authority and any damage caused to the surface of the road during the construction phase of the development will be reinstated to a standard at least commensurate with its condition prior to the commencement of the development.

**Reason:**In the interests of pedestrian and vehicular safety and the amenities of the area and to accord with Policy T18 of the Unitary Development Plan.

- 13** Prior to the commencement of the development hereby permitted a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall include measures of how construction traffic can access the site safely and

how potential traffic conflicts can be minimised; the route construction traffic shall follow for arriving at and leaving the site and the hours of operation, but shall not be limited to these. The Construction Management Plan shall be implemented in accordance with the agreed timescale and details.

**Reason:** In order to comply with Policy T5, T6, T7, T15, T16 & T18 of the Unitary Development Plan and in the interest of the amenities of the adjacent properties.

- 14** Before the development hereby permitted is first occupied the proposed window(s) shall be obscure glazed in accordance with details to be submitted to and approved in writing by the Local Planning Authority and details of any openings shall be submitted to and approved in writing by the Local Planning Authority and shall subsequently be permanently retained in accordance with the approved details. In the interests of the privacy of adjoining properties any openings should be at high level.

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

- 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.

**Reason:**To ensure that all existing trees to be retained are adequately protected and to comply with Policy NE7 of the Unitary Development Plan.