

SECTION '2' – Applications meriting special consideration

Application No : 15/04028/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:

Erection of four bedroom dwelling and attached garage (Minor Material Amendment Application to approved application Ref DC/15/01930/FULL1 for widened attached garage and redesigned and repositioned rear single storey family room)

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 most recently granted planning permission (Ref: 15/01930).

The proposal differs from the previous permission as the single storey attached garage on the northern side of the dwelling is now 0.2m from the boundary rather than a space of 0.5m which was previously maintained between the proposed flank elevation of the building and the boundary with No. 8 The Meadow. The garage roof is now hipped rather than the previously approved gable which will reduce its prominence.

The building is now slightly wider with a side space of 2.042m retained between the built development and the southern boundary as with the previous permission.

The single storey rear projection is also now positioned more centrally and is larger than the previously permitted scheme, being 8.5m wide rather than the previous 6m wide. The rear projection is now 3.8m from the boundary with no.8.

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. Under a previous planning permission the

existing dwelling has already been demolished and works have commenced on site.

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 3.8m away from the boundary with No.8. The height of the proposed dwelling is approximately 9.1m at its highest point.

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.

Consultations

One representation has been received in support of the proposal.

Comments from Consultees

Highways have raised no objections subject to conditions

APCA did not inspect this application, although they did object to the previous application on the basis of the loss of the existing dwelling and the new design being overlarge, out of character with the area and of poor design.

The Council's Heritage and Design Officer has no objection on the basis that the changes are minor, subject to appropriate conditions.

In respect of 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 + 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

Previous planning permissions 15/00839 - Demolition of existing house and erection of replacement four bedroom dwelling with detached garage and 15/01930 - Demolition of existing house and erection of replacement four bedroom dwelling with attached garage.

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
- Side space and 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

As planning permission was granted for a replacement dwelling under planning applications ref 15/00839 and 15/01930 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 previous dwelling has already been demolished and its demolition is therefore no longer part of this application.

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 adversely 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 and 15/01930, however, the attached garage is slightly wider and 0.3m closer to the northern flank elevation of the main property than the most recent permission. A side space of 0.2m is maintained to the flank boundary with No.8, 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.

In respect of the space around the new building, Policy H9 reads as follows:

"When considering applications for new residential development, including extensions, the Council will normally require the following:
(i) for a proposal of two or more storeys in height, a minimum 1 metre space from the side boundary of the site should be retained for the full height and length of the flank wall of the building; or
(ii) where higher standards of separation already exist within residential areas, proposals will be expected to provide a more generous side space. This will be the case on some corner properties."

The supporting text clarifies:

"The Council considers that the retention of space around residential buildings is essential to ensure adequate separation and to safeguard the privacy and amenity of adjoining residents. It is important to prevent a cramped appearance and unrelated terracing from occurring. It is also necessary to protect the high spatial standards and level of visual amenity which characterise many of the Borough's residential areas. Proposals for the replacement of existing buildings will be considered on their merits."

Individual views on the design and the impact of the proposed replacement dwelling on the streetscene and Conservation Area are subjective. With regard to Policy H9 it is considered that the 0.2m gap to the northern boundary in this location is not detrimental to the character and appearance of the Conservation Area, given that the element of the dwelling adjacent to this boundary is single storey.

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 330 sq m. 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 was previously at the site, 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

The principle of a substantial replacement dwelling has already been established under application Ref: 15/00839 and 15/01930 and the previous dwelling has already been demolished under these previous permissions.

The proposal is for a larger dwelling than that previously in existence 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 rear single storey element of the built development further away from No.8, although the single storey attached garage is slightly closer. The change from gable to pitched roof above the garage will reduce the prominence of this element. 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

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 2015 (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 2015 (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 2015 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 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) located at first floor level on the northern flank elevations 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 Policy BE1 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 hard surfaces. 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.