

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

**Application No :** 16/03133/FULL1

**Ward:**  
**Chislehurst**

**Address :** Woodside Yester Park Chislehurst  
BR7 5DQ

**OS Grid Ref:** E: 542902 N: 170557

**Applicant :** Mr Ben Mortazavi

**Objections :** YES

### **Description of Development:**

Part demolition of the existing four bedroom detached house with integral garage and extending to create a five bedroom detached house with integral garage.

Key designations:

Conservation Area: Chislehurst  
Biggin Hill Safeguarding Area  
London City Airport Safeguarding  
Open Space Deficiency  
Smoke Control SCA 10  
Smoke Control SCA 16

### **Proposal**

The application is located on the northern side of Yester Park within the Chislehurst Conservation Area, and hosts a detached dwellinghouse.

The proposal seeks permission for the partial demolition of the building and erection of two storey extensions and remodelling of the house to provide a five bedroom detached house.

The host dwelling at present has attractive staggered front and rear elevations, and the proposed extensions to the front and rear of the property will bring the ground floor element forward from the original front elevation of the host dwelling, and also at first floor level the front corners of the house will be brought forward, with a front dormer and gable feature proposed to the front elevation.

To the rear, the rearward projection of the proposed extension will have a depth of 6.6m metres at ground floor along the western flank elevation (5m previously proposed) and 8 metres along the eastern flank elevation, with a rearward projection of 4.5 metres at first floor level along the western elevation and approx 5.5 metres along the eastern elevation at first floor level (4.0m and 5.0m previously proposed)..

The flank elevations of the proposed extensions would be built in-line with the flank elevations of the host dwelling, retaining a separation of approx 1.35 metres to the

western property boundary at the rear and approx 1.75 metres to the western property boundary at the front, with a separation of approx. 1.0m to the eastern property boundary at the rear (1.25 previously proposed) and approx metres to the eastern property boundary at the front (1.1m previously proposed).

The resulting dwelling would have two new windows in the eastern flank elevation at first floor level and a new single door at ground floor level, and only one window in the western flank elevation at first floor level and 3 new windows at ground floor level.

Amended plans have been received dated 10/08/16 indicating an increase in the side space to the eastern boundary of the site from 0.85m to 1.0m at first floor level.

### **Location**

The site currently comprises a two storey detached residential dwelling set within a generous plot on the northern side of Yester Park. The site falls within the Chislehurst Conservation Area.

### **Comments from neighbouring properties**

Nearby owners/occupiers were notified of the application and representations were received which can be summarised as follows:

- Building works should be avoided at weekends to ensure residential amenity

### **Consultations**

The Advisory Panel for Conservation Areas (APCA) - objection raised on the basis of overdevelopment and poor design.

Drainage - no objections raised subject to a standard condition.

Highways - no objections raised.

### **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  
BE11 Conservation Areas  
H7 Housing Density and Design  
H9 Side Space  
T3 Parking  
T18 Road Safety

## NE7 Development and Trees

SPG Chislehurst Conservation Area

SPG1 General Design Principles

SPG2 Residential Design Guidance

London Plan Policies:

3.3 Increasing Housing Supply

3.4 Optimising Housing Potential

3.5 Design and Quality of Housing Developments

3.8 Housing Choice

5.3 Sustainable Design and Construction

5.13 Sustainable Drainage

6.9 Cycling

6.13 Parking

7.4 Local Character

7.5 Public Realm

7.6 Architecture

The National Planning Policy Framework (NPPF)

The Mayor's Housing Supplementary Planning Guidance (March 2016)

DCLG Technical Housing Standards (March 2015)

### **Planning History**

Permission was refused under 14/03378 for two storey front and part one/two storey rear extensions and balcony for the following reasons:

1. The proposed front extensions would result in a monotonous and unrelieved design which would fail to preserve or enhance the character of the host dwelling, thereby resulting in harm to the character and appearance of the dwelling and the Chislehurst Conservation Area within which the property is located, contrary to Policies BE1 and BE11 of the Unitary Development Plan;
2. The proposed two storey rear extension would, by reason of its excessive rearward projection, have a seriously detrimental impact upon the daylighting to the neighbouring properties and the prospect which the occupants of those properties might reasonably expect to be able to continue to enjoy, contrary to Policy H8 of the Unitary Development Plan; and
3. The provision of a balcony would give rise to undesirable overlooking of the neighbouring dwellings, contrary to Policy H8 of the Unitary Development Plan.

Planning permission was refused under ref. 15/02687 for a part one/two storey front/side/rear extensions, increase in roof height to include rooflights and provide habitable accommodation and elevational alterations. The refusal grounds were as follows:

- '1 The proposed front extensions would have a negative impact upon the amenities and outlook from neighbouring properties and would also result in a monotonous and unrelieved design that would fail to preserve or enhance the character of the host dwelling, thereby resulting in harm to the character and appearance of the dwelling and the Chislehurst Conservation Area within which the property is located, contrary to Policies BE1 and BE11 of the Unitary Development Plan.
  
- 2 The proposed two storey rear extension would, by reason of its excessive rearward projection, have a seriously detrimental impact upon the daylighting to the neighbouring properties and the prospect which the occupants of those properties might reasonably expect to be able to continue to enjoy, contrary to Policy H8 of the Unitary Development Plan.'

The application was subsequently dismissed at appeal. The Inspector states:

'The proposed extensions are fairly substantial and would involve considerable reconfiguring of the existing dwelling. To the front, the distinctive central timbered gable would be replaced by a much larger gable, of increased height and width. Although the increased roof height would appear to match that of the adjoining property, Wychling, the overall scale of the new gable would in my view, be overly dominant and unsympathetic to the proportions of the host dwelling and other dwellings in the immediate vicinity. Furthermore, the additional roof bulk proposed as part of the extensions would be evident in the streetscene and would introduce an overly large element that would not be sympathetic in terms of its bulk and massing.

To the rear, a large rear element with hipped roof would echo the bulk of the proposed front extensions, though of slightly lower height. I consider that whilst there may be scope to have an extension to the rear, as with the front extension, the overall scale of this element would not be sympathetic to the character and appearance of the host dwelling. A second rear extension, whilst of slightly greater depth, would be of more modest proportions, reflecting those of the host dwelling.

Furthermore, these rear additions would also result in the introduction of long, generally unrelieved flank elevations which would introduce elements that would be fundamentally at odds with the pleasantly proportioned and well-articulated elevations of the existing dwelling.

Overall, I consider that the proposed extensions would be unsympathetic and thereby harmful to the character and appearance of the host dwelling, the immediate streetscene and therefore the wider Chislehurst Conservation Area.'

The Inspector also concluded that the development would not impact harmfully on the amenities of neighbouring properties.

## Conclusions

The main issues relating to the application are the effect that it would have on the character of the area and the impact that it would have on the amenities of the occupants of surrounding residential properties.

The application site falls within Chislehurst Conservation Area and Yester Park began its development in the same manner as much of Chislehurst: the development of detached houses in large grounds that was followed by comprehensive infilling to a higher density. The buildings along this road generally have a consistency of scale and style, with faint echoes of the neo-vernacular, and elements of the rustic with its un-kerbed street and timber lampposts.

Policy BE11 states in effect that development within conservation areas should respect and complement the layout, scale, form and materials of existing buildings and spaces in that area; must respect and incorporate in the design existing landscaping or other features that contribute to the character, appearance or historic value of the area; and ultimately preserve or enhance the character or appearance of conservation areas.

The previous application (ref. 15/02687) was dismissed at appeal on the basis of the impact it would have on the character of the Conservation Area. It was considered that the larger front gable and increase in roof height, adding an unsympathetic and dominant bulk to the building that would be harmful to the character of the house and wider Conservation Area. The Inspector also considered the bulk of the rear extensions to be unsympathetic.

The current proposal amends the plans to remove the proposed enlargement to the roof and increase in roof height towards the front of the proposed house, with the retention of the front gable feature with symmetrical dormers to either side. To the rear of the house, the proposed staggering of the extension is retained along with a chimney feature to the western elevation to add interest to the design. The siting of the resulting new dwelling has been located further back in its plot so that the house will be 9.5m from the highway at its nearest point, as opposed to the 6.3m previously proposed.

The amendments are considered to improve the appearance of the house by retaining the front gable feature, and reduce the sense of bulk at the front of the house by staggering the height increase from the front to the back of the proposed dwelling. This results in a less bulky appearance and relationship with the neighbouring houses and it is considered to overcome the Inspector's concerns regarding unsympathetic development and its associated impact on this part of the Conservation Area.

The current proposal retains a 0.85m side space to the eastern flank boundary, and revised plans submitted dated 10/08/16 sets the first floor in from the side in order to increase this to 1.2m at first floor level. Although a greater degree of separation would usually be required in a Conservation Area and the application is technically contrary to side space policy, the existing house has a 0.85m side

space and therefore the result of the extension would not impact further on the separation and spatial characteristics of this part of the Conservation Area.

Whilst the bulk of the building has been reduced from the previous scheme, the siting of the new building differs from that previously proposed in that the new dwelling will be further back in its plot. The result of this is that the ground floor rear extension will project further to the rear of Rosetta (5.6m as opposed to 4.2m) and further to the rear of the two storey part of Wychling (5.2m as opposed to 4.8m). That said, the first floor elements will not project further than the previous proposal and the overall sense of bulk experienced by neighbours would not be significantly different from the previous scheme, which the Inspector found to have an acceptable impact. On balance, the impact on the amenities of neighbouring properties is considered to be acceptable.

### Summary

Having had regard to the above it was considered that the development in the manner proposed is acceptable in that it would not result in a detrimental impact on the character and appearance of this part of the Chislehurst Conservation Area and would not impact harmfully on the amenities of neighbouring residential properties. It is therefore recommended that Members grant planning permission.

### **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 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**

- 3 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.**

- 4 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: In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of the visual and residential amenities of the area.**

- 5 Before the development hereby permitted is first occupied, the proposed window(s) in the first floor flank elevations shall be obscure glazed in accordance with details to be submitted to and approved in writing by the Local Planning Authority and shall subsequently be permanently retained as such.**

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

- 6 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 development hereby permitted, without the prior approval in writing of the Local Planning Authority.**

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

**You are further informed that :**

- 1 This is a summary of the main reasons for this decision as required by law. The application has been determined in accordance with the development plan insofar as it is relevant and taking into account all other material planning considerations, including all the representations received. For further details, please see the application report (if the case was reported to Committee), the Unitary Development Plan and associated documents or write to Chief Planner quoting the above application number.**
- 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](http://www.bromley.gov.uk/CIL)**