

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

**Application No :** 16/04418/FULL1

**Ward:**  
**Chislehurst**

**Address :** 27 Heathfield Chislehurst BR7 6AF

**OS Grid Ref:** E: 544368 N: 170630

**Applicant :** Mr & Mrs Rainer Schmitz

**Objections :** YES

### **Description of Development:**

Demolition of existing bungalow and erection of two storey 4 bedroom dwelling

Key designations:

Conservation Area: Chislehurst

Biggin Hill Safeguarding Area

London City Airport Safeguarding

Smoke Control SCA 16

### **Proposal**

The application site currently contains a single storey detached bungalow located at the eastern end of Heathfield, and lies within Chislehurst Conservation Area.

Permission is sought for the demolition of the existing bungalow and the erection of a two storey 4 bedroom dwelling with habitable rooms in the roof space.

The replacement dwelling is located predominantly within the footprint of the approved scheme (15/01879/OUT) with the addition of a single storey element that projects approximately 7.1m beyond the proposed rear façade. The new dwelling will provide a minimum of 1m side space to both flank boundaries.

### **Consultations**

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

- Too close to neighbouring property
- Will still block light to kitchen of neighbouring property
- Still extends too long into the garden
- Design doesn't match other houses
- Still too high.
- New design continues to be out of character and not in-keeping with the current character of Heathfield and surrounding area.
- Significant increase in massing compared to the bungalow
- Proposed front elevation has a strong vertical design emphasised by two gables and tall glazing components. In an appropriate setting this may be considered as an exciting and bold design but given the locality, and

position within the Chislehurst Conservation Area, the proposal is inimical to the character and appearance of the local area

- Unclear if the glazing at the rear, which serves the 'master bedroom', is openable. May form a large Juliet balcony, which would lead to overlooking and loss of privacy for neighbours
- Second floor 'games room' gives access to a large open terrace which may give rise to overlooking and noise nuisance
- Proposal is contrary to Policy BE1 BE11 and H7

Letters in support of the proposals have also been received from residents within the borough which can be summarised as follows:

- Scale and design is more preferable than that previously permitted.
- A number of neighbouring properties have been refurbished since the Conservation Area came into being, bringing new materials such as timber cladding and slate roofing previously not part of the vernacular
- In keeping with the character of the road to bring in new contemporary elements as time passes
- Proposed house is modern but not of radical appearance and would enjoy seeing it in the street
- Objected to previous application however reduction in number of first floor windows, removal of chimney stack and increased distance to boundary reduces concerns.
- Improvement to the road
- Adds character and is consistent with the existing street scene
- The design continues the gradual upgrading of Heathfield
- Positive contribution to the Conservation Area

Comments were received from the Councils Conservation Officer which can be summarised as follows:

- Proposal would be very assertive in the streetscene
- No objection in principle to modern designs within conservation areas however any replacement house on this site should be more sensitive to its context.
- In addition to the bulk and scale of the proposal, the design incorporating large glazed elements would make it particularly conspicuous.

Comments were received from the Councils Highways Officer which can be summarised as follows:

- There is no change to the access arrangement.
- There is a good size garage and other parking on the frontage.
- If permission, conditions are recommended regarding parking, hardstanding and highway drainage.

Comments were received from the Councils Drainage Officer which can be summarised as follows:

- Conditions are recommended regarding sustainable drainage systems and to ensure details of surface water drainage systems are submitted to the Council prior to development.

The Advisory Panel for Conservation Areas, (APCA) were consulted on the application and their comments can be summarised as follows:

- Proposal is too large and too assertive and hence discordant in the streetscene
- Contrary to BE1 and BE11 of the UDP.

## **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  
H1 Housing Supply  
H7 Housing Density and Design  
H9 Side Space  
T3 Parking  
T18 Road Safety  
NE7 Development and Trees

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 5.13 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 6.9 Cycling  
Policy 6.13 Parking  
Policy 7.2 An inclusive environment  
Policy 7.3 Designing out crime  
Policy 7.4 Local character  
Policy 7.6 Architecture  
Policy 8.2 Planning obligations

## Policy 8.3 Community infrastructure levy

The Council is preparing a Local Plan and commenced a period of consultation on its proposed submission draft of the Local Plan on November 14th 2016 which closes on December 31st 2016 (under The Town and Country Planning (Local Planning) (England) Regulations 2012 as amended). It is anticipated that submission of the draft Local Plan to the Secretary of State will occur in the early part of 2017. These documents are a material consideration. The weight attached to the draft policies increases as the Local Plan process advances.

Draft Policy 1 Housing Supply  
Draft Policy 4 Housing Design  
Draft Policy 8 Side Space  
Draft Policy 30 Parking  
Draft Policy 32 Road Safety  
Draft Policy 73 Development and Trees  
Draft Policy 37 General Design of Development

## Planning History

The site has been subject to a previous planning application:

- 15/01879/OUT - Demolition of existing dwelling and erection of a 2 storey 4 bedroom dwelling OUTLINE APPLICATION - Permitted 12.11.2015
- 16/03115/FULL1 - Demolition of existing bungalow and erection of two storey 4 bedroom dwelling. - Refused 02.09.2016

## Conclusions

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

- o Design
- o Impact on the Chislehurst Conservation Area
- o Standard of Residential Accommodation
- o Highways and Traffic Issues
- o Impact on Adjoining Properties

This application has been submitted following a recent refusal under planning reference: 16/03115/FULL1 for the demolition of existing bungalow and erection of two storey 4 bedroom dwelling. The reasons for refusal are as follows:

1. The replacement dwelling, by reason of the contemporary design will appear overly dominant within the street scene and fail to enhance or respect the character and appearance of the Chislehurst Conservation Area, contrary to Policies BE1 and BE11 of the Unitary Development Plan.
2. The replacement dwelling, by way of its excessive depth and proximity to the boundary, would result in a dominant and visually intrusive form of development, harmful the amenities of No.25 by reason of outlook and visual amenity, contrary to Policies BE1 and H8.

## Design, Siting and Layout.

The site is currently a detached bungalow located at the eastern end of Heathfield, and lies within Chislehurst Conservation Area. The existing bungalow occupies the full width of the site with an attached garage along its northern side. The site is elevated in comparison to the neighbouring properties. The surrounding streetscene comprises largely of two storey properties set within large plots.

The principle of a replacement dwelling was established by an Outline application, planning ref: 15/01879/OUT. The approval was for the demolition of existing dwelling and erection of a 2 storey 4 bedroom dwelling. Since, the site has been subject to a refusal (planning ref: 16/03115/FULL1) for the erection of a two storey 4 bedroom dwelling, the reasons for refusal were due to (1) the contemporary design resulting in dominant form of development which fails to respect the character or appearance of the Chislehurst Conservation Area, and (2) the impact on the amenities of the neighbouring property due to the excessive rearward projection of the single storey rear element.

The current application is for the demolition of the existing bungalow erection of a two storey 4 bedroom dwelling with habitable rooms in the roof space. The replacement dwelling is located predominantly within the footprint of the approved scheme (15/01879/OUT) with the addition of a single storey rear projection.

Policy H9 of the Unitary Development Plan states that 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, however, where higher standards of separation already exist within residential areas, proposals will be expected to provide a more generous side space, including corner plots. The new dwelling will provide 1m - 1.7m side space therefore is compliant with Policy H9.

The overall design of the replacement dwelling is modern and incorporates two front gable features. The materials proposed include brick, render, glass and metal panels. The Councils Conservation Officer and the Advisory Panel for Conservation Areas (APCA) raised concerns regarding the contemporary design, proposed materials and the impact on the character of the area. Amended plans (received 01/12/2016) indicate that the height of the proposed dwelling, when scaled from the submitted plans, will be 9.4m, a 2.1m increase from the bungalow and 0.5m increase from the approved Outline application (15/01879/OUT). The street scene elevation (received 01/12/2016) indicates that the proposed roof would be similar to that of No.25 to the north however would be 1.8m above that of No.29 to the south. Whilst a small increase in height would be considered acceptable in principle, the proposed roof alterations and increase in height would contribute to adding significant bulk to the appearance of the property above that existing, particularly given the size of the proposed front gables. It is considered to result in an unacceptable increase in the bulk of the property that would be harmful to the character of the host dwelling, the Chislehurst Conservation Area and the streetscene in general.

The proposed dwelling incorporates a roof terrace. A 7.5m deep section of roof will be removed from the northern roof slope. The rearmost 0.5m of roof will be

reformed as a gable feature. This reduces the opportunity for overlooking to the rear. The proposed section indicates that the remaining side roof slope will provide 1.8m high screening therefore the roof terrace is not considered to result in overlooking or loss of privacy to the occupiers of No.25. The design of the roof terrace, although unusual, is located towards the rear of the property and therefore only an oblique view of the roof will be visible between the properties. This element is therefore not considered to result in a detrimental impact on the street scene or character of the Chislehurst Conservation Area.

### Residential Amenity and 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 surrounding area comprises large detached two storey dwellings, therefore the principle of a two storey dwelling is considered acceptable. The shape, room size and layout of the rooms in the proposed dwelling are considered to be satisfactory. None of the rooms would have a particularly convoluted layout which would limit their use. The proposed dwelling is located within a relatively large plot. It would have a large GIA and all four bedrooms exceed the minimum requirements for double bedrooms. It is therefore considered that the proposal would offer a high level of residential amenity for future occupiers.

### Highways

The site is located in an area with low PTAL rate of 2 (on a scale of 1 - 6, where 6 is the most accessible). The proposal provides a large integral garage and additional parking on the frontage. The existing access is to remain. On this basis, the Council's Highways Officer raised no objection to the proposal and conditions are recommended with regards to parking, hardstanding and highway drainage.

### Impact on Adjoining Properties

Policy BE1 of the UDP requires the Council to consider whether planning proposals will significantly affect the amenities of occupiers of neighbouring properties and any future occupiers, ensuring that their environments are not harmed by noise and disturbance or by inadequate daylight, sunlight or privacy or by overshadowing.

The proposal includes a single storey rear projection that projects approximately 7.1m beyond the proposed rear façade. The roof of this element will be flat. The flank wall facing No.25 Heathfield will contain one high-level window. The rear and southern flank will contain bi-fold doors. This element is located 1.5m from the northern flank boundary with No.25 Heathfield. Additional information has been submitted which indicates that the proposed extension will not cross the 25 degree line of the neighbouring rear window and it is considered that this element will not

impact on the level of daylight and sunlight to this neighbouring property, however given the excessive depth proposed and the proximity to the boundary, the rear projection is considered to result in a detrimental impact on this neighbouring property by way of loss of outlook and visual amenity. It is noted that this element has been reduced by 2.9m from the previous refusal (previous depth 10m) however this reduction is not considered sufficient to overcome the second reason for refusal.

With regards to the proposed roof terrace, it will provide 1.8m high screening therefore it is not considered to result in overlooking or loss of privacy to the occupiers of No.25. The gable is reformed at the rear therefore there is no opportunity for overlooking towards the rear. Therefore the proposal is not considered to have a significant impact on the amenities of neighbouring properties with regards to loss of privacy or excessive noise.

### Summary

Having had regard to the above it was considered that the design of the replacement dwelling is not acceptable in that it would result in an overly dominant form of development that would impact significantly on the street scene and would not respect the character or appearance of the Chislehurst Conservation Area. Furthermore, the proposed single storey rear projection is considered excessive giving rise to a significant loss of amenity to neighbouring residents, thereby contrary to policies BE1, BE11 and H8 of the UDP.

**as amended by documents received on 21.11.2016, 01.12.2016**

### **RECOMMENDATION: APPLICATION BE REFUSED**

**The reasons for refusal are:**

- 1 The replacement dwelling, by reason of the contemporary design will appear overly dominant within the street scene and fail to enhance or respect the character and appearance of the Chislehurst Conservation Area, contrary to Policies BE1 and BE11 of the Unitary Development Plan.**
- 2 The single storey projection, by way of its excessive depth and proximity to the boundary, would result in a dominant and visually intrusive form of development, harmful the amenities of No.25 by reason of outlook and visual amenity, contrary to Policies BE1 and H8**