

SECTION '2' – Applications meriting special consideration

Application No : 17/00555/FULL1

Ward:
Chislehurst

Address : 18 Greatwood Chislehurst BR7 5HU

OS Grid Ref: E: 543064 N: 170426

Applicant : Mr & Mrs A C Bow

Objections : YES

Description of Development:

Demolition of single storey side extension and erection of a three storey three bedroom end of terrace house with associated vehicle access, parking spaces, landscaping and single storey rear extension to No. 18

Key designations:

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

Proposal

It is proposed to construct an end of terrace, three storey townhouse on the land to the north of No. 18 Greatwood. The new house will have three bedrooms and a residential curtilage to the rear and side of the house. The proposal includes an integral garage and a single storey rear extension to No. 18. The existing single storey side extension at No. 18 will be replaced by the proposed new dwelling.

New hedging will be provided to the flank boundary of the site, including a gate to provide access to the rear of No. 18.

Location

The application site is occupied by a two storey end of terrace dwelling located on the western side of Greatwood, which forms part of the Chislehurst Conservation Area. The dwellings on Greatwood are all Locally Listed Buildings. The land in question to the north of No. 18 contains a group of trees which are subject to a Tree Preservation Order (TPO).

Comments from Local Residents

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

- o Loss of light and overshadowing to properties on Yester Road.
- o Design and Access Statement cannot be viewed online.
- o Excessive overdevelopment of the site.
- o Harmful impact on the character of the Greatwood Estate and wider Conservation Area, along with the loss of the wooded nature of the application site.
- o Impact on the character of the Locally Listed Building and unavailability of suitable matching materials for the period property.
- o Impact on traffic, parking and highway safety. Garage proposed is too small for a car and there is inadequate car parking on Greatwood.
- o Impact on existing trees and future impact on trees. The findings of the submitted Arboricultural Report are disputed by an independent report.
- o Poor design and flank elevation lacking in detail.

- o Construction issues and possible subsidence are likely. A Construction Method Statement is required.
- o Inadequate drainage provided for the new dwelling.
- o Proposed rear access may present a crime risk and would lead to overlooking and loss of privacy to properties on Yester Road.

Consultations

Tree Officer - The tree constraints have been acknowledged and the construction of the new dwelling will not present a dramatic impact upon the trees. No.18 Greatwood currently maintains a balanced relationship with the protected trees and any works affecting these trees are subject to the application process. The method statement submitted as part of the Design and Access Statement has addressed the impact upon the trees and implements protection measures.

The objection supported by Quaife Woodlands Consultants highlights a number of issues associated with the proposals and the arboricultural input submitted by Tree Ability. The tree constraints are acknowledged within the Design and Access Statement and protection measures have been referred. A scaled Tree Protection Plan (TPP) can be requested under condition.

The Council tree officers observed a large retaining wall situated adjacent to the existing single storey extension. Both the foundations of the retaining wall and the extension are predicted to be in excess of 1m. This can be expected more so, with regard to the extension. The ground levels differ greatly from the base of the protected oak tree (T16) and the ground level adjacent to the extension. The difference is estimated to be between 4 and 5m. The root morphology would have been well adapted to the presence of the building and the retaining wall.

It is reasonable that the Root Protection Area (RPA) could be modified to reflect the prominence of root coverage into the sloping ground. The RPA intrusion through the construction of the dwelling would be minimal, considering the existing excavated land, the proposal can be constructed without an adverse impact on the nearest oak tree (T16). Foundation drawings should be submitted to gather as much detail as possible and this can be conditioned.

The Arboricultural Officer is satisfied that the proposal can proceed in accordance with protective measures and precautionary methods. Conditions are therefore recommended.

Highways - no objections raised subject to conditions

Drainage - no objections raised subject to a standard condition.

The Advisory Panel for Conservation areas (APCA) - no objections raised.

20th Century Society - no comments made.

Planning Considerations

The application falls to be determined in accordance with the following policies of the Unitary Development Plan

- BE1 Design of New Development
- BE10 Locally Listed Buildings

- BE11 Conservation Areas
- BE13 Trees in Conservation Areas
- NE7 Development and Trees
- H1 Housing Supply
- H7 Housing Density & Design
- H9 Side Space
- T3 Parking
- T11 New Accesses
- T18 Road Safety

Full copies of these policies can be found on the Council's website.

The most relevant London Plan policies are as follows:

- 3.3 Increasing Housing Supply.
- 3.4 Optimising Housing Potential
- 3.5 Quality and Design of Housing Developments
- 3.8 Housing Choice
- 5.1 Climate Change Mitigation
- 5.3 Sustainable Design and Construction
- 5.13 Sustainable Drainage
- 6.9 Cycling
- 6.13 Parking
- 7.4 Local Character
- 7.6 Architecture

The National Planning Policy Framework (NPPF)

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

DCLG Technical Housing Standards (March 2015)

Emerging Bromley Local Plan

The Council is preparing a Local Plan and the final consultation on its proposed submission draft of the Local Plan closed on December 31st 2016 (under The Town and Country Planning (Local Planning) (England) Regulations 2012 as amended). The updated Local Development Scheme was submitted to Development Control Committee on November 24th 2016 and Executive Committee on November 30th 2016, and indicated the submission of the draft Local Plan to the Secretary of State 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 31 - Relieving Congestion
- Draft Policy 32 - Road Safety
- Draft Policy 33 - Access for All
- Draft Policy 37 - General Design of Development
- Draft Policy 39 - Locally Listed Buildings
- Draft Policy 41 - Conservation Areas
- Draft Policy 43 - Trees in Conservation Areas
- Draft Policy 73 - Development and Trees

Draft Policy 77 - Landscape Quality and Character
Draft Policy 112 - Planning For Sustainable Waste Management
Draft Policy 113 - Waste Management in New Development
Draft Policy 115 - Reducing Flood Risk
Draft Policy 116 - Sustainable Urban Drainage Systems (SUDS)
Draft Policy 117- Water and Wastewater Infrastructure Capacity
Draft Policy 119 - Noise Pollution
Draft Policy 120 - Air Quality
Draft Policy 122 - Light Pollution
Draft Policy 123 - Sustainable Design and Construction
Draft Policy 124 - Carbon Dioxide Reduction, Decentralise Energy Networks and Renewable Energy

Planning History

Planning permission was granted under ref. 87/00806 for a single storey rear extension.

Under ref. 16/00366, a planning application for demolition of existing single storey side extension, construction of single storey rear extension with balcony above, and erection of 3 terraced three storey 3 bedroom dwellings with integral garages and rear balcony to Plot 19, and new retaining wall was submitted. This application was withdrawn during the application process.

Conclusions

The main issues in this case are the impact of the proposal on the character and appearance of the Chislehurst Conservation Area, the impact on the amenities of neighbouring residents, the impact on highway safety, the standard of accommodation provided for future occupants and the impact on protected trees.

Principle of Development

Housing is a priority use for all London Boroughs. Policy 3.3 Increasing Housing Supply, Policy 3.4 Optimising Housing Potential and Policy 3.8 Housing Choice in the London Plan (2015) generally encourage the provision of redevelopment in previously developed residential areas provided that it is designed to complement the character of surrounding developments, the design and layout make suitable residential accommodation, and it provides for garden and amenity space.

The National Planning Policy Framework (NPPF) states in Paragraph 49 that housing applications should be considered in the context of the presumption in favour of sustainable development.

The NPPF sets out in Paragraph 14 a presumption in favour of sustainable development. In terms of decision-making, the document states that where a development accords with a local plan, applications should be approved without delay. Where a plan is absent, silent or relevant policies are out of date, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits or specific policies in the Framework indicate development should be restricted.

The document also encourages the effective use of land by re-using land that has been previously developed (brownfield land) and excludes gardens from the definition of previously developed land.

Policy H7 of the UDP advises that new housing developments will be expected to meet all of the following criteria in respect of; density; a mix of housing types and sizes, or provides house types to address a local shortage; the site layout, buildings and space about buildings are designed to a high quality and recognise as well as complement the qualities of the surrounding areas; off street parking is provided; the layout is designed to give priority to pedestrians and cyclists over the movement and parking of vehicles; and security and crime prevention measures are included in the design and layout of buildings and public areas.

The site is surrounded by residential dwellings. The site is currently developed for a less dense residential use with a single residential house on a large plot. Therefore, in this location the Council will consider a higher density residential development provided that it is designed to complement the character of surrounding developments, the design and layout make suitable residential accommodation, and it provides for garden and amenity space. Any adverse impact on neighbouring amenity, conservation and historic issues, biodiversity or open space will need to be addressed. Therefore the provision of a new residential house on the land is acceptable in principle 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, sustainable design and energy, community safety and refuse arrangements.

Impact on the Chislehurst Conservation Area and Locally Listed Building

Policy BE10 of the Unitary Development Plan requires that a proposal to alter, extend or for the change of use of a locally listed building will be permitted provided that it will be sympathetic to the character, appearance and special local interest of the building and will respect its setting. This is reflected in emerging Local Plan Policy 39.

Policy BE11 of the Unitary Development Plan requires development within Conservation areas to preserve and enhance the character and appearance of the Conservation Area by respecting or complementing the layout, scale, form and materials of existing buildings and spaces. Development should respect and incorporate in the design existing landscape or other features that contribute to the character, appearance or historic value of the area and ensure that the level of activity, traffic, parking services or noise generated by the proposal will not detract from the character or appearance of the area. This is reflected in emerging Local Plan Policy 41.

The proposal would reflect the character and appearance of the dwellings on Greatwood by mimicking the appearance of the existing houses on Greatwood. The result would be a house that does not conflict with the established character of the Conservation Area and would be considered acceptable in this location subject to suitable materials. The proposed staggering of the building line is also considered to be reflective of the surrounding development. Under the previous application which was withdrawn, no objections were raised from the Advisory Panel for Conservation Areas (APCA) and the Conservation Area has indicated that the current design would be suitable for the site, preserving the character of the Conservation Area. The proposal would also reflect and respect the character of the group of Locally Listed Buildings and no objection is raised from a conservation point of view.

Amount and Standard of Residential Accommodation

Table 3.2 of Policy 3.4 (Optimising Housing Potential) of the London Plan (2015) gives an indicative level of density for new housing developments, and in this instance, the proposal represents a density of 41 dwellings per hectare with the table giving a suggested level of between 35-55 dwellings per hectare in an urban area with a 0 PTAL location. The

proposals would therefore result in an intensity of use of the site that would be within the thresholds in the London Plan. However, the proposals need to be assessed against the wider context in terms of the character, spatial standards and townscape value of the surrounding area.

The proposals comprise 1 three bedroom dwelling. The Technical Housing Standards suggests that the minimum size of a three bedroom five person three storey dwelling should be 99sq.m. The proposal would provide a suitable area of private outdoor amenity space for a family unit, with a side and rear garden area proposed.

Impact on Neighbouring Properties

Policy BE1 also seeks to ensure that new development proposals, including residential extensions respect the amenity of occupiers of neighbouring buildings and that their environments are not harmed by noise and disturbance or by inadequate daylight, sunlight or privacy or by loss of outlook or overshadowing. This policy is consistent with Draft Policy 37 of the Draft Local Plan.

The proposed dwelling will be sited a suitable distance from neighbouring dwellings so as to avoid loss of amenity either through visual impact or loss of light. The nearest property at No. 1 is orientated so that no flank windows would be affected by the proposed development. To the rear of the site, No. 40 Yester Road is sited 25m from the rear elevation of the proposed dwelling and this separation is considered acceptable. Overlooking can be avoided by the imposition of a landscaping condition in order for further boundary screening to be provided. A boundary details condition can also be imposed to ensure no overlooking from the higher land level into neighbouring gardens.

The proposed rear extension to No. 18 would not project beyond the rear wall of No. 17 and therefore there would be no significant additional impact on the amenities of this property over and above that created by the existing rear balcony.

Impact on Parking and Highway Safety

Under the previous planning application, highways engineers raised concerns that the provision of three new dwellings would lead to additional parking stress on Greatwood, given the low PTAL rating and the likely car ownership of future occupants. The current proposal for a single dwelling would substantially reduce the additional traffic generated at the site and includes an off-street car parking space.

The Council's Highways Engineer has stated that the car parking area to the side of the proposed house, including space for 2 cars, provides dimensions of at least 6m x 2.6. The provision of 2 spaces is considered suitable in light of the PTAL rating of the site. The proposal is accompanied by a Construction Management Plan which addresses the construction methods required for the build, however further details will be required by way of a condition. On balance, the proposal is considered to be acceptable subject to conditions.

Impact on Trees

The Council's Tree Officer has commented that as the proposal intends to retain trees at the site, and the submitted Arboricultural Report satisfactorily addresses the above and below ground constraints presented by the construction of the development. The supporting information includes the required specialised construction techniques, including a tree root protection plan and proposed mitigation measures. No objections are therefore

raised subject to appropriate conditions relating to landscaping and compliance with the submitted Arboricultural Method Statement.

Summary

In conclusion, it is considered that the proposal would provide a suitable standard of accommodation for future occupants and would not impact harmfully on the character and appearance of the Conservation Area. The proposal would not impact detrimentally on the amenities of neighbouring properties and would not result in a detrimental impact on highway safety or protected trees.

Background papers referred to during production of this report comprise all correspondence on the file ref(s) 16/00366/FULL1 and 17/00555/FULL1 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 the commencement 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 The surface water drainage system indicated on the approved drawings shall be completed before any part of the development hereby permitted is first occupied, and permanently retained thereafter.**

Reason: In order to comply with Policy 5.13 of the London Plan and to ensure the satisfactory drainage of the site.

- 5** 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 (England) 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.

- 6** Parking bays shall measure 2.4m x 5m and there shall be a clear space of 6m in front of each space (or 7.5m if garages are provided) to allow for manoeuvring and these spaces shall be permanently retained as such thereafter.

Reason: In order to comply with Appendix II of the Unitary Development Plan and to the interest of pedestrian and vehicular safety.

- 7** The gradient of the parking spaces shall not exceed 1:10 at any point.

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

- 8** 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.

- 9** 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.

10 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: In order to comply with Policy 5.13 of the London Plan and to ensure the satisfactory drainage of the site.

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: 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.

12 No loose materials shall be used for surfacing of the parking and turning area hereby permitted.

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

13 The development hereby permitted shall be built in accordance with the criteria set out in Building Regulations M4(2) 'accessible and adaptable dwellings' and shall be permanently retained thereafter.

Reason: To comply with Policy 3.8 of the London Plan 2015 and the Mayors Housing Supplementary Planning Guidance 2016 and to ensure that the development provides a high standard of accommodation in the interests of the amenities of future occupants.

14 The development shall be implemented in accordance with the Arboricultural Method Statement approved as part of the planning application and under the supervision of a retained arboricultural specialist in order to ensure that the phasing of the development accords with the stages detailed in the method statement and that the correct materials and techniques are employed.

Reason: To maintain the visual amenity of the area. (Policy NE7 of the Bromley Unitary Development Plan (adopted July 2006).

15 The development shall be implemented in accordance with the Arboricultural Method Statement approved as part of the planning application and under the supervision of a retained arboricultural specialist in order to ensure that the phasing of the development accords with the stages detailed in the method statement and that the correct materials and techniques are employed.

Reason: To maintain the visual amenity of the area. (Policy NE7 of the Bromley Unitary Development Plan (adopted July 2006).

- 16 Before the development hereby permitted is commenced, details of the specification and position of fencing (and any other measures to be taken) for the protection of any retained tree shall be submitted to and approved in writing by the Local Planning Authority. The areas enclosed by fencing shall not be used for any purpose and no structures, machinery, equipment, materials or spoil shall be stored or positioned within these areas. Such fencing shall be retained during the course of building work.

Reason: In order to comply with Policies NE7 and NE8 of the Unitary Development Plan to ensure works are carried out according to good arboricultural practice and in the interest of the health and visual amenity value of trees to be retained.

- 17 Any roots encountered of 50mm or more in diameter shall be carefully retained and protected from exposure and desiccation. Any damaged or severed roots shall be cut so that the final wound is as small as possible.

Reason: In order to comply with Policy NE7 of the Unitary Development Plan to ensure works are carried out according to good arboricultural practice, and in the interest of the health and visual amenity value of trees to be retained.

- 18 Before any work is commenced, details of the depth, extent and means of excavation of the foundations shall be submitted to and approved in writing by the Local Planning Authority, and the excavations and foundations shall be carried out in accordance with the approved details.

Reason: In order to comply with Policy NE7 of the Unitary Development Plan to ensure works are carried out according to good arboricultural practice, and in the interest of the health and visual amenity value of trees to be retained.

You are further informed that :

- 1 The applicant is advised that any works associated with the implementation of this permission (including the demolition of any existing buildings or structures) will constitute commencement of development. Further, all pre commencement conditions attached to this permission must be discharged, by way of a written approval in the form of an application to the Planning Authority, before any such works of demolition take place.
- 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 Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.**
- 4 The condition of the section of the street to which the proposed development has a frontage should, at the end of development, be at least commensurate with that which existed prior to commencement of the development. The applicant is advised that before any works connected with the proposed development are undertaken within the limits of the street, it will be necessary for them to obtain the agreement of the owner(s) of the sub-soil upon which Greatwood is laid out.**