

Section '3' - Applications recommended for PERMISSION, APPROVAL or CONSENT

Application No : 18/02019/FULL6

Ward:
Chislehurst

Address : 37 Heathfield, Chislehurst BR7 6AF

OS Grid Ref: E: 544290 N: 170596

Applicant : Mr John Hersey-Walker

Objections : NO

Description of Development:

Single storey rear extension, side dormers, additional front dormers & roof alterations, additional garage door to front

Key designations:

Conservation Area: Chislehurst

Biggin Hill Safeguarding Area

London City Airport Safeguarding

Smoke Control SCA 16

Proposal

The application seeks planning permission for a single storey rear extension, dormers to the front and side elevations and roof/elevational alterations.

The proposed single storey rear extension will project 7.0m in depth along the boundary with No. 35 with a width of 7.4m. The extension will have a dual pitched 'M' shaped roof. One part of the extension will measure 5.8m in height at its maximum for a depth of 3.3m before stepping down to 5.1m. The second part will measure 5.5m in height at its maximum. The extension will have an eaves height of 2.5m

The proposed roof alterations consist of dormers to each side elevation; two additional dormers to the front elevation; removal of the gable end pitched roof at the front elevation; formation of flat roof and addition of roof lantern; alterations to the central gable end pitched roof at the front elevation with the addition of one roof light to each roofslope; and Juliet balcony to rear dormers.

The proposed elevational alterations consist of the addition of a garage door; removal of the bay window and extension front extension measuring 0.7m in depth and 4.1m in width and addition of a door and window to flank elevation facing No.35.

Location

The application site comprises a two storey detached dwellinghouse located on the southern side of Heathfield, Chislehurst. The property is not listed and is located within the Chislehurst Conservation Area.

Comments from Local Residents and Groups

Nearby owners/occupiers were notified of the application and no representations were received.

Comments from Consultees

Conservation Officer: I am unclear if this would now breach H9 in terms of side space but from a conservation area perspective there is no harm being caused providing they match materials.

APCA: No comments received.

Tree Officer: No objection.

Policy Context

Section 70(2) of the Town and Country Planning Act 1990 (as amended) sets out that in considering and determining applications for planning permission the local planning authority must have regard to:-

- (a) the provisions of the development plan, so far as material to the application,
- (b) any local finance considerations, so far as material to the application, and
- (c) any other material considerations.

Section 38 (6) of the Planning and Compulsory Purchase Act (2004) makes it clear that any determination under the planning acts must be made in accordance with the development plan unless material considerations indicate otherwise.

According to paragraph 216 of the NPPF decision makers can also give weight to relevant policies in emerging plans according to:

- The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- The degree of consistency of the relevant policies in the emerging plan to the policies

The Council is preparing a Local Plan. The submission of the Draft Local Plan was subject to an Examination In Public which commenced on 4th December 2017 and the Inspector's report is awaited. These documents are a material consideration.

The weight attached to the draft policies increases as the Local Plan process advances.

The development plan for Bromley comprises the Bromley UDP (July 2006), the London Plan (March 2016) and the Emerging Local Plan (2016). The NPPF does not change the legal status of the development plan.

The application falls to be determined in accordance with the following policies:

London Plan Policies

- 7.4 Local character
- 7.6 Architecture
- 7.8 Heritage Assets and Archaeology

Unitary Development Plan

- H8 Residential extensions
- H9 Side Space
- BE1 Design of new development
- BE11 Conservation Areas
- BE14 Trees in Conservation Areas

Draft Local Plan

- 6 Residential Extensions
- 37 General Design of Development
- 41 Conservation Areas
- 43 Trees in Conservation Areas

Supplementary Planning Guidance

- SPG1 - General Design Principles
- SPG2 - Residential Design Guidance
- SPG - Chislehurst Conservation Area

Planning History

The relevant planning history relating to the application site is summarised as follows:

89/02962/FUL - Part ground, part first floor extension to bungalow to form part one, part two storey house - Application Refused.

90/02278/FUL - Front and rear and side dormer extensions- Application Permitted.

96/02867/FUL - Front and rear dormers to existing bungalow, two storey link to garage incorporating first floor within roofspace and front dormer, single storey conservatory to side/rear - Application Permitted.

05/01473/FULL6 - Attached garage at side - Application Refused.

Considerations

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

- Design
- Neighbouring amenity
- Heritage Impact
- Trees in Conservation Areas

Design

Design is a key consideration in the planning process. Good design is an important aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. The NPPF states that it is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes.

London Plan and UDP policies further reinforce the principles of the NPPF setting out a clear rationale for high quality design.

The host dwelling currently benefits from a single storey rear conservatory that projects 4.9m in depth and 3.5m in width. The proposed single storey rear extension will replace the conservatory projecting a further 2.1m in depth with an additional width of 3.8m. The proposed extension would leave a distance of 4.2m from its rearmost wall to the end of the rear garden. It is considered that the proposed depth and height of the extension would be subservient to the main dwelling and not overdevelop the site as a whole. The proposed materials will match those of the existing dwelling which will be complementary and compatible with the application site and developments in the surrounding area. This element of the proposal would not be visible from the street and so will not harm the character of the area or the streetscene in general.

The proposed size, scale and bulk for the roof alterations will alter the appearance of the host dwelling. The ridge height of the main roof will not change, however the bulk of the roof will increase with the addition of the dormers and the flat roof. The pitching back of the gable end pitched roof situated over the existing garage will help to mitigate the impact of the additional bulk. The alterations to the roof to partly pitch the gable end roof of the central element of the front elevation would also work to lessen the bulk of the roof and is similar in design to that of No.35 and several other properties within the immediate area. The existing separation distance between the neighbouring properties and the distance from the front elevation to the highway would be preserved.

The proposed dormers to the front roofslope would be relatively modest in size. The host dwelling currently benefits from three front dormers, it is also noted that the neighbouring property, No.39 and a number of other properties within the immediate area benefit from front dormers of various sizes. While the proposed side dormers would increase the bulk of the roofslope they would also be set in

from the eaves and have gable end pitched roofs which would lessen their impact and be in keeping with the host dwelling. The Juliet balcony to the rear would not be visible from the street and so will not harm the character of the area or the streetscene in general. The proposed materials will match those of the existing dwelling which will be complementary and compatible with the application site and developments in the surrounding area. It is therefore considered that, on balance, the proposed roof alterations would complement the host property and would not appear out of character with surrounding development.

Policy H9 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. The addition of the side dormer facing onto No.35 and the separation distance of 0.7m between the flank wall and the boundary means that the proposed development contravenes the requirements of the policy. Taking into consideration the proposed height and depth of the side dormer and the size of the plots in which the two properties sit, it is considered that adequate separation would still exist and that the development would not create a cramped appearance or lead to unrelated terracing.

The proposed elevational alterations will also alter the appearance of the host dwelling. The front extension would remove the bay window and bring this element of the dwelling forward by 0.7m. This would remain set back from the main front elevation and would not be out of keeping with properties in the surrounding area. The entrance door and window located next to the existing garage will be removed and replaced with an additional garage door. This will give the host dwelling a more uniform appearance with one central entrance and would be constructed of matching materials which would complement the host property and would not be out of character with surrounding development. The door and window to the flank elevation would not be visible from the street and so will not harm the character of the area or the streetscene in general. It is therefore considered that the proposed elevational alterations would complement the host property and would not appear out of character with surrounding development.

Having regard to the form, scale, siting and proposed materials it is considered that, on balance, the proposed extension would complement the host property and would not appear out of character with surrounding development or the area generally.

Neighbouring amenity

Policy BE1 of the UDP seeks to protect existing residential occupiers from inappropriate development. Issues to consider are the impact of a development proposal upon neighbouring properties by way of overshadowing, loss of light, overbearing impact, overlooking, loss of privacy and general noise and disturbance.

The proposed rear extension, because of its height, depth and proximity to the neighbouring boundary, will have a visual impact on No.35. Taking into account the plot sizes of both properties, the orientation of No.35 which is sited slight away from the rear of the host dwelling it is considered that any visual incursion would not be adverse enough to warrant a refusal of the application. It is also noted that there are a number of established trees and shrubs along this boundary which would provide

effective screening. The rear extension would sit approximately 16m away from the boundary with No.39. Given the orientation of the site and the separation distance it is not considered that any visual impact on No.39 would be adverse enough to warrant a refusal of the application. The proposed windows in the rear and side return elevation would not result in overlooking or an increased loss of privacy out of character in terms of what currently exists.

The proposed roof alterations will result in some visual impact to the neighbouring properties due to its increased bulk. The proposed side dormers would have obscure glass to prevent overlooking to the neighbours either side. The proposed front dormers will sit at least 11.0m away from the front boundary of the site. Due to their proposed size and location it is not considered that the proposed front dormers or additional rooflights would result in an increased chance of overlooking out of character in terms of that expected within a typical residential layout. It is also not considered that the proposed additional bulk to the roof would result in significant harm to either neighbouring property in terms of overshadowing or loss of light. It is therefore not considered that proposed roof alterations will result in a significant loss of amenity to neighbouring properties.

Having regard to the scale, siting, separation distance and orientation of the development, it is not considered that a significant loss of amenity with particular regard to light, outlook, prospect and privacy would arise.

Heritage Impact

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a requirement on a local planning authority in relation to development in a Conservation Area, to pay special attention to the desirability of preserving or enhancing the character or appearance of that area.

Interpretation of the 1990 Act in law has concluded that preserving the character of the Conservation Area can not only be accomplished through positive contribution but also through development that leaves the character or appearance of the area unharmed. The NPPF also states that great weight should be given to the conservation of heritage assets (para.132).

Policy BE11 of the UDP seeks to preserve or enhance the character or appearance of conservation areas and in particular sets out that an alteration or extension to a building within a conservation area will be expected to respect or complement the layout, scale, form and materials of the existing building and space.

The property falls within the Chislehurst Conservation Area. For the reasons outlined above it is considered that the extensions would also preserve the character and appearance of the Conservation Area. The Councils Conservation Officer has not raised an objection to the application subject to a condition requiring the use of matching materials.

Trees in Conservation Areas

Policy BE14 states that development will not be permitted if it will damage or lead to the loss of one or more trees in the conservation area, unless the removal of the tree(s) is necessary in the interest of good arboricultural practice, the reason for the development outweighs the amenity value of the tree(s) or in granting permission for the development, one or more appropriate replacement trees of a native species will be sought either on or off site through the use of conditions or planning obligations.

As part of the application it is proposed to remove the apple tree located at the rear of the property. It is noted that the wording of the policy would require the replacement of the tree in the event that planning permission is granted. However, the Council has previously received an application for the removal of the apple tree under reference 18/01854/TREE. As part of that application no objection was raised against its removal and no requirement for a replacement was put in place. It is therefore considered that it would not be expedient as part of this application to require the provision of a replacement tree either on or off site.

Conclusion

Having had regard to the above it is considered that the development in the manner proposed is acceptable in that it would not result in a significant loss of amenity to local residents nor impact detrimentally on the character of the area and the Conservation Area.

Background papers referred to during production of this report comprise all correspondence on the files 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 Unless otherwise agreed in writing by the Local Planning Authority the materials to be used for the external surfaces of the development hereby permitted shall as far as is practicable match those of the existing building.**

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 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.