

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

**Application No :** 18/05175/FULL6

**Ward:**  
**Chislehurst**

**Address :** 11 Heathfield Chislehurst BR7 6AF

**OS Grid Ref:** E: 544290 N: 170729

**Applicant :** Mr Le Compte

**Objections :** YES

**Description of Development:**

Part one/two storey rear extensions, two storey front extension, elevational alterations comprising of changes to windows, doors and addition of Juliet balconies to first floor rear and roof alterations to include raised roof ridge to accommodate loft conversion with addition of roof windows to all elevations.

Key designations:

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

**Proposal**

The application includes substantial proposed extension and alterations of the host dwelling, which are as follows:

- A two storey front extension measuring 2.8m in width, 0.8m in depth with a ridge height of 8.5m and an eaves height of 5.1m. It would form a front glazed gable end;
- A side and rear extension to infill the rear and the north west corner on the ground floor which would measure between 2.1m and 6.1m in depth and 13.9 m in width.
- A first floor rear extension measuring 6.6m in width, by 1.9m in depth and having an eaves height of 5m and a ridge height of 7.8m to form a front gable end and forming part of a part/one two storey extension.
- The ridge height would be raised by 0.3m from the existing to accommodate loft extensions with roof lights and the chimney would be removed.

**Location and Key Constraints**

The application site is located to north of Sylvester Avenue and is a detached bungalow with accommodation in the roof space. Properties in the area vary in terms of their architectural style and scale. The site does not lie within any conservation area and the property is not a listed building. The character of the area is residential in nature.

## **Comments from Local Residents and Groups**

Nearby owners/occupiers were notified of the application and one representation was received, which can be summarised as follows:

### Objections

- The proposed gable end roof slope does not fit in with the character of the surrounding houses;
- The existing garage is close to the boundary line and the box gutter above the wall could be over the flank boundary and it could be converted into habitable space;
- The ground floor flat roof could be used as terrace as a proposed Juliet balcony could allow full access to the roof.

### Chislehurst Society

- Objection to the proposal;
- The site is near to the bend of the road and hence is prominent within the street scene and the increase to the height of roof ridge would increase the bulk of the dwelling. it may adversely impact on the character and appearance of this locality within the Chislehurst conservation area;
- The proposed single storey extension to the rear would create a large flat roof area above the ground floor that could be accessed from the first floor bedrooms;
- A condition should be imposed to prevent the roof area being used as a terrace.

## **Comments from Consultees**

Conservation Officer: "The existing house is likely to be of 1950s construction and of limited architectural interest. I have no objections in principle to the remodelling but I feel that the full height glazing system on the front elevation would be over dominant in the streetscene and harmful to the character of the area. However, given that there are houses with modern glazed front gable at Heathfield, I would consider this proposal, on balance, is acceptable."

## **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.

The National Planning Policy Framework was published on 24th July 2018. According to paragraph 48 of the NPPF decision takers can also give weight to relevant policies in emerging plans according to:

- a) The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- b) 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
- c) The degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF.

The development plan for Bromley comprises the Bromley Local Plan (Jan 2019) and the London Plan (March 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

#### Bromley Local Plan

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

#### Supplementary Planning Guidance

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

### **Planning History**

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

85/01538/FUL -- Two storey rear extension and addition of pitched roof to existing two storey side extensions -- 08.08.1985 (Permitted)

08/00118/FULL6 -- Two storey front extension, part one/two storey rear extension and increase in roof height to form habitable accommodation with front and rear dormers. - 31.03.2008 (Withdrawn)

08/00120/LBC Two storey front extension, part one/two storey rear extension and increase in roof height to form habitable accommodation with front and rear dormers (LISTED BUILDING CONSENT) - 21.01.2008 (Withdrawn)

09/00014/FULL6 - Two storey front extension. Part one/two storey rear extension and increase in roof height to form habitable accommodation together with dormer and two sky lights in the rear elevation and one skylight in the front elevation - 20.04.2009 (Permitted)

12/00509/EXTEND - Extension of time limit for implementation of permission reference 09/00014 granted for two storey front extension. Part one/two storey rear extension and increase in roof height to form habitable accommodation together with dormer and two sky lights in the rear elevation and one skylight in the front elevation -11.04.2012 (Permitted)

18/03657/TREE T1 Oak - Reduce height and lateral branches by 1.5m. T2 Magnolia - Fell. T3 Lawson - Fell. T4 Cherry - Fell. T5 Cherry - Fell. - 07.09.2018 (No objection)

## **Considerations**

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

- Design
- Heritage Impact
- Neighbouring amenity
- CIL

## 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.

London Plan Policy 7.4 requires developments to have regard to the form, function, and structure of an area. Policy 37 of the Bromley Local Plan states that all development proposals, including extensions to existing buildings, will be expected to be of a high standard of design and layout. Policy 6 of the Bromley Local Plan requires that the design and layout of proposals for the alteration or enlargement of residential properties will be required to comply with the following: (i) the scale, form and materials of construction should respect or complement those of the host dwelling and be compatible with development in the surrounding area and (ii) space or gaps between buildings should be respected or maintained where these contribute to the character of the area.

The Council will normally expect the design of residential extensions to blend with the style and materials of the main building. Where possible, the extension should incorporate a pitched roof and include a sympathetic roof design and materials.

It is noted that the proposal with the contemporary design would alter significantly the appearance of the property. Given that the existing dwelling is not considered to be of any particular architectural merit and the ridge height would only be raised by 0.3m, the proposal is considered acceptable. It is considered that the proposed scale and design of the dwelling would be in keeping with the other properties in the immediate vicinity, including the glazed gable to the front. With regards to the rear extensions, given that they would not be visible from the street and therefore, they would not impact significantly on the street scene.

For information, members should be aware that a planning permission at No.27 Heathfield (planning ref: 16/04418/FULL1) was approved at planning committee for the demolition of the existing bungalow and erection of a two storey 4 bedroom dwelling. The overall design of the replacement dwelling is modern and incorporates two front gable features. In the officers' report, it was mentioned that "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.... It is considered that, although the proposal includes an increase in roof height (0.5m) and is of a contemporary design, the proposed dwelling will impact on the character of the Chislehurst Conservation Area however not to such a degree to warrant refusal of the application."

In this proposal, the proposed ridge height would only be raised by 0.3m and there would be only one glazed gable end feature on the front elevation. Also, planning permission was granted for No. 11A Heathfield and it has similar gable features to the front elevation and therefore, it is considered the contemporary design of the proposed extensions at No. 11 is acceptable and would not have any detrimental impact on the street scene.

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

### Heritage Assets

The NPPF sets out in section 16 the tests for considering the impact of a development proposal upon designated and non-designated heritage assets. The test is whether the proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset and whether it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits. A range of criteria apply.

Paragraph 196/197 state where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. The effect of an application on the

significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

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.

This application site lies in the Sub-unit 13 (The Meadow/ Heathfield) of the Chislehurst Conservation Area SPG and it states that "the sub-area is predominantly comprised of contemporary houses and gardens, which do not contribute significantly to the character and appearance of the Conservation Area. However, given their discreet location, they do not detract from the Area."

On this stretch of the road there are many different architectural styles, some of which include gable ends. It is considered that the proposed front gable may not make a positive contribution to the appearance of the dwelling. However, it would not cause significant harm to the character and appearance of the Conservation Area. Also, given that there is no proposed side extension, the proposal would help to maintain the spacious feel of the area. The proposed rooflight to the front would also help to maintain the character of the street scene and preserve the character and appearance of the Conservation Area.

In summary, it is considered that the inclusion of a rooflight and a gable end to the front of the property is unlikely to have any significant harm to the street scene, nor the character of the Chislehurst Conservation Area.

### Neighbouring amenity

Policy 37 of the Bromley Local Plan 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.

With regards to No. 11a, the proposed single storey rear extension would not project beyond the rear wall of the existing garage and the two storey rear extension would have a minimum 6.5m distance from the shared boundary. The objections from the Chislehurst Society and the neighbouring property, No.11a, are noted. It is considered that the proposed Juliet balconies to the rear would not result in a significant loss of privacy or sense of overlooking for No. 11a. With regards to the concerns that the roof of the proposed single storey extension could be used as a roof terrace, a condition will be imposed to prevent this.

With regards to No. 10, this neighbouring property has a garage immediately adjacent to the shared boundary. Given that the ground floor extension would be 2.1m deeper than the existing single storey element along the shared boundary and the two storey rear extension would be some 4m away from the shared boundary, it is considered that the neighbouring impact to No. 10 would be limited.

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

## **CIL**

The Mayor of London's CIL is a material consideration. CIL is not payable on this application and the applicant has completed the relevant form.

## **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.

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.

**as amended by documents received on 28.01.2019**

**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: To comply with Section 91 of the Town and Country Planning Act 1990**

- 2 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 37 of the Bromley Local Plan and in the interests of visual and residential amenity.**

- 3 The materials to be used for the external surfaces of the building shall be as set out in the planning application forms and / or drawings unless otherwise agreed in writing by the Local Planning Authority.**

**Reason: In order to comply with Policy 37 of the Bromley Local Plan and in the interest of the appearance of the building and the visual amenities of the area.**

- 4 The flat roof area of the existing/ proposed single storey rear extensions as shown on drawing no: P2 shall not be used as a roof terrace, balcony or sitting out area and there shall be no access to the roof area.**

**Reason: In order to comply with Policy 37 of the Bromley Local Plan and in the interest of the amenities of the adjacent properties**

- 5 No windows or doors (other than those shown on the plans hereby approved) shall at any time be inserted in the flank elevations of the first floor extension hereby permitted,**

**Reason: In the interest of the amenities of the adjacent properties and to comply with Policy 37 of the Bromley Local Plan**