

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

Application No : 19/00890/FULL6

Ward:
Chislehurst

Address : Bywood Manor Park Chislehurst BR7
5QD

Objections: Yes

OS Grid Ref: E: 544771 N: 169649

Applicant : Mrs Lyn Matthews

Description of Development:

Demolition of existing detached garage and chimney stack and erection of single storey front, side and rear extensions, and elevational alterations

Key designations:

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

Proposal

It is proposed to demolish the existing detached garage and chimney stack and construct single storey front, side and rear extensions to this bungalow. The proposals comprise:

- a single storey side/rear extension which would extend up to the eastern flank boundary with Nos.1 and 2 Laverock, and would project between 4-6.8m to the rear
- a 3.6m wide front extension which would project 0.9m forward of the main front elevation
- a front bay window
- a new side entrance door with glazed screen and obscure glazed bathroom window in the western flank elevation of the bungalow.

Location and Key Constraints

This two bedroom detached bungalow is located within a small cul-de-sac off Manor Park which also serves Nos.1 and 2 Laverock to the east. The site is bounded to the west by detached properties known as Bedans and Shenandoah, and to the north by the rear garden of Beechwood.

The site lies within Chislehurst Conservation Area, and the nearby properties Cookham Dene and The Lodge are statutorily listed.

Comments from Local Residents and Groups

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

Objections

- Overdevelopment of the site
- Loss of light and outlook to neighbouring properties
- Adequate screening should be provided adjacent to Laverock
- Tree 2 is inside not outside the site boundary
- There should be no living space within the roof to prevent overlooking
- Difficulties of access for construction traffic

Please note the above is a summary of objections received and full text is available on the Council's website.

The application was called into committee by a Ward Councillor.

Comments from Consultees

APCA: No objections are raised.

Conservation Officer: Given the secluded location of the site and the low profile of the proposed extensions, the impact on the Conservation Area would be negligible.

Highways: The proposals would result in the loss of a parking space due to the demolition of the existing garage, but there would still be room for 2 car parking spaces on the frontage, therefore, no highways objections are raised.

Tree Officer: The large off-site tree to the rear, labelled T1 on the proposed site block plan, appears to be in good health and have at least moderate landscape value. This tree does not appear to conflict with the proposed development in the long term, nor would there be an undue risk of harm during construction. The remaining vegetation appears to be of lower value.

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 24 July 2018 and updated on 19 February 2019.

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
- 30 Parking
- 37 General Design of Development
- 41 Conservation Areas
- 43 Trees in Conservation Areas

Supplementary Planning Guidance

- SPG1 - General Design Principles
- SPG2 - Residential Design Guidance

Planning History

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

Permission was refused in 1988 (ref.88/00154) and dismissed on appeal for a replacement dwelling on grounds relating to overdevelopment and the detrimental impact on the amenities of neighbouring properties.

Permission was refused in 1990 (ref.90/00355) for a two storey side and first floor rear extension, and raising of the roof to provide 3 front dormers on grounds relating to a cramped form of development which would be out of character with the Conservation Area.

Permission was refused in 2006 (ref.06/03386) for a single storey side/rear and first floor extension including front, side and rear dormers on the following grounds:

- 1 The proposal would be an overdevelopment of the site, out of character with the locality, conducive to a retrograde lowering of the spatial standards to which the area is at present developed and detrimental to the character and appearance of this part of the Chislehurst Conservation Area, contrary to Policies BE1, H8 and BE11 of the Unitary Development Plan.

- 2 The proposed development would be detrimental to the amenities now enjoyed by the residents of properties adjoining the site, by reason of loss of prospect, privacy and visual impact, contrary to Policies BE1 and H8 of the Unitary Development Plan.

Considerations

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

- Design
- Heritage Impact
- Highways
- Neighbouring amenity
- Trees
- 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 BLP policies further reinforce the principles of the NPPF setting out a clear rationale for high quality design.

The proposed single storey side/rear extension would extend up to the eastern flank boundary with Nos.1 and 2 Laverock (a width of about 2.7m), and would continue the existing roofline of the bungalow. There would still be a gap of approximately 4.5-5.5m between the extension and the building at Laverock, and the proposals are not considered to have a detrimental impact on the character and spatial standards of the area.

The front bay windows are not considered to detract from the appearance of the existing dwelling.

The proposals would still retain a 12-14m deep rear garden, and are not considered to result in an overdevelopment of the site.

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

Heritage Impact

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

Within or adjacent to a Conservation Area:

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 proposed extensions would be single storey only (as opposed to previous schemes for the site which were for two storey development), and they would not exceed the height of the main roof. Given the secluded location of the site and the modest size of the extensions, the proposals are not considered to have a detrimental impact on the Conservation Area.

It is considered that the proposed development would preserve the character and appearance of the conservation area

Highways

The NPPF recognises that transport policies have an important role to play in facilitating sustainable development but also in contributing to wider sustainability and health objectives. The NPPF clearly states that transport issues should be considered from the earliest stage of both plan making and when formulating development proposals and development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

The NPPF states that all developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed

London Plan and BLP Policies encourage sustainable transport modes whilst recognising the need for appropriate parking provision. Car parking standards within the London Plan and Bromley Local Plan should be used as a basis for assessment

No highways objections are raised to the proposals.

Neighbouring amenity

Policy 37 of the BLP 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 extension would project 4m to the rear across the back of the bungalow which would increase to 5.8m to the rear where the detached garage is currently located. The closest part of Laverock contains two garages on the ground floor and a living area on the upper floor, and is set back 4.5-5.5m from the proposed extension. Given the single storey nature of the development, the proposals are not considered to adversely affect outlook or light to the adjacent flats at Laverock.

With regard to the impact on Bedans to the west of the site, this single storey property has a very short rear garden (approximately 4.5-9m in depth), and the proposed rear extension would be visible from the rear elevation and garden of this property. However, the extension would be only 4m in depth adjacent to Bedans, and the roof over it would be hipped away from the side boundary. The proposals are not therefore considered to result in significant loss of light to or outlook from this property.

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

Trees

The proposals are not considered to have a detrimental impact on important trees on or adjacent to the site.

CIL

The Mayor of London's CIL is a material consideration. CIL is not payable on this application.

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 and appearance of 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: 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 No additional floorspace shall be provided within the extensions hereby permitted in the form of first floor accommodation without the prior written approval of the Local Planning Authority.**

Reason: In order to comply with Policy 119 of the Bromley Local Plan to accord with the terms of the application and prevent overdevelopment of the site.