

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

Application No : 19/00609/FULL6

Ward:
Chislehurst

Address : 6 Orchard Villas, Old Perry Street,
Chislehurst BR7 6PX

Objections: Yes

OS Grid Ref: E: 545394 N: 170510

Applicant : Mr Dannmayr

Description of Development:

Elevational alterations to existing outbuilding and single storey rear extension to existing dwelling with orangery to link outbuilding to dwelling.

Key designations:

Conservation Area: Chislehurst
Biggin Hill Safeguarding Area
Green Belt – To rear of site
London City Airport Safeguarding
Local Nature Reserve
Sites of Interest for Nat. Conservation
Smoke Control SCA 17

Proposal

Planning permission is sought for elevational alterations to existing outbuilding and single storey rear extension to existing dwelling with orangery to link outbuilding to dwelling.

The single storey rear extension would square off the rear elevation and measure 3.1m deep and 1.6m wide with a crown roof to a maximum height of 3.2m (eaves 2.5m).

The link extension would measure 3.4m deep and 2.3m wide with a flat roof to a maximum height of 2.5m.

Location and Key Constraints

The application site comprises a two storey semi-detached dwellinghouse located on the south-eastern side of Old Perry Street. The property is not listed however does lie within the Chislehurst Conservation Area.

Comments from Local Residents and Groups

Nearby owners/occupiers were notified of the application and representations were received which are set out below:

Objection:

- Our objection is to the scale and appearance of the new Orangery joining the main house to the Outbuilding. This new building runs along our boundary fence and the scale and glass top will indeed have a major impact on us. This glass roof with large lantern roof, is all but sited directly under our bedroom window. The light and sounds from it will have a significant impact on our daily/nightly living. We have posted a photograph of this proposed new wall and lantern roof to you separately.
- We believe we share some degree of party water drainage and both have soak-a-ways which are not shown in the proposal;
- Both houses have undergone considerable interior remodelling to date. We are concerned that further works could have an impact on the security and integrity of such. We would wish to be reassured that this has been firmly factored in.
- The proposal sees a study and bathroom in the current outbuilding. This would point to a garden bedroom with ensuite facilities making the footprint of the house considerably increased and potentially open to further future development. The walls are thin as this building was not built with this use in mind, and this could impact our use of our side of this unique feature of our two houses. I understand that most of these outbuildings have disappeared in development work, and we are in a conservation area.
- We believe this plan will have a major effect on our home and use of our bedroom and outdoor courtyard area. There are secondary concerns which we have raised. We would strongly urge that the proposal is either declined or at the least subject to major revision regarding the height and placement of the Orangery and its Lantern roof feature. We would welcome a visit from the Planning Officer or indeed any member of the Planning Committee.

It should be noted that points relating to the Party Wall Act and Building Control are not material planning considerations.

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

Comments from Consultees

Conservation Officer: No objections.

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 (2016):

- 7.4 Local character
- 7.6 Architecture
- 7.8 Heritage assets and archaeology

Bromley Local Plan (2019):

- 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

87/501 - Planning permission was granted for a single storey rear extension - 02/04/1987

Considerations

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

- Design
- Heritage Assets
- 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 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 states that the design and layout of proposals for the alteration or enlargement of residential properties will be required to (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 site is located within the Chislehurst Conservation Area; therefore Policy 41 of the BLP is relevant to this application. These policies require new developments to respect and complement the layout, scale, form and materials of existing buildings and spaces; respect and incorporate in the design existing landscape or other features that contribute to the character, appearance or historic value of an area and ensure that the level of activity, traffic, parking services or noise generated by the proposal will not detract from the character of appearance 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.

The proposal will provide an enlarged ground floor living area. The extension to the main building will have a crown roof and will be finished in matching materials. The glazed link extension would result in a modern and contemporary design approach which contrasts against the host building. On balance the use of traditional and modern design and use of materials of the development is considered to complement the character and appearance of the host dwelling and for these reasons, it is considered that the proposed development is acceptable and complies with policy on design.

In terms of the overall size and scale of the development, the extension is shown to project 3.1m to square off the rear elevation and the glazed link would infill between the rear elevation and the existing outbuilding. Whilst concerns have been raised by a local resident regarding the footprint of the house being considerably increased, nevertheless, it is considered that given the size and use of materials the extensions would not overwhelm the original host building. For these reasons it is considered that the development as proposed is acceptable and does comply with policy on design.

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

The site is located within the Chislehurst 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 of a design and siting that would complement the host dwelling. The host dwelling is not listed but is of architectural merit and in view of the position of the extensions together with the use of materials they are considered to compliment the host dwelling and not detrimental to the setting of the conservation area. As such it is considered that the proposals would preserve the character and appearance of the conservation area.

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. This is supported within Policy 7.6 of the London Plan.

With regards to the impact of the single storey link extension, this element would be adjacent to neighbouring property on the south-west No. 7 and approximately 5.3m from the north-eastern boundary with No. 5. The extension would be 2.5m in height adjacent to the boundary and infill the existing gap between the existing rear elevation and the outbuilding (3.4m). Whilst this extension would link the main house with the outbuilding and run along the south-western boundary it is noted

that there is an identical outbuilding at No. 7. Given the modest height of the glazed link together with the orientation, on balance it is considered that the proposal would not impact detrimentally in term of loss of light or sense of enclosure. With regards to privacy and noise concern has been raised over the inclusion of a roof lantern/light. This light would be approximately 4.5m from the nearest bedroom and whilst glazing does not offer the same protection from noise and light pollution as a solid roof on balance given the distance the modest size of the lantern the development is not considered to result in a significant impact to the neighbouring property in term of increased noise and disturbance and increase in light pollution.

When considering the main single storey rear extension the extension will infill between the main kitchen and bathroom squaring off the rear elevation. The extension to project 3.1m and would not project beyond the main rear elevation. No. 5 to the north-east has a similar rearward projection and as such it is considered that the development would not impact detrimentally on either neighbouring property in terms of overshadowing, loss of light, overbearing impact, overlooking, loss of privacy and general noise and disturbance

Having regard to the scale, siting, separation distance, orientation, of the development as set out above, it is not considered that a significant loss of amenity with particular regard to light, outlook, prospect and privacy would 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 or impact detrimentally on the character of the area. The design, scale and materials of the extension would preserve the character and appearance of the conservation area within which the application property is sited.

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 28.05.2019, 25.04.2019 and 06.06.2019

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.