

<b>Committee Date</b>	1 <sup>st</sup> September 2022	
<b>Address</b>	Graylings Camden Way Chislehurst BR7 5HT	
<b>Application Number</b>	22/01225/FULL6	<b>Officer</b> - Lawrence Stannard
<b>Ward</b>	Chislehurst	
<b>Proposal</b>	Demolition of existing conservatory and erection of new lower ground, ground & first floor rear extension along with new first floor front extension and erection of detached garage.	
<b>Applicant</b>	<b>Agent</b>	
Mr & Mrs Kevin & Sam Clouter	Mr Chris Yeates	
Graylings Camden Way Bromley Chislehurst BR7 5HT	Suite 10, Bourne Gardens, Exeter Park Road Bournemouth BH2 5BD	
<b>Reason for referral to committee</b>	<b>Call In</b>	<b>Councillor call in</b>
	Call In	Yes

<b>RECOMMENDATION</b>	Refused
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<p><b>KEY DESIGNATIONS</b></p> <p>Chislehurst Conservation Area Biggin Hill Safeguarding Area London City Airport Safeguarding Open Space Deficiency Smoke Control SCA 16</p>
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<b>Representation summary</b>	<ul style="list-style-type: none"> <li>• Neighbour notification letters were sent on the 22<sup>nd</sup> March 2022.</li> <li>• A Press Ad was published on the 30<sup>th</sup> March 2022.</li> <li>• The site notice was displayed on the 5<sup>th</sup> May 2022.</li> </ul>
Total number of responses	0
Number in support	0
Number of objections	0

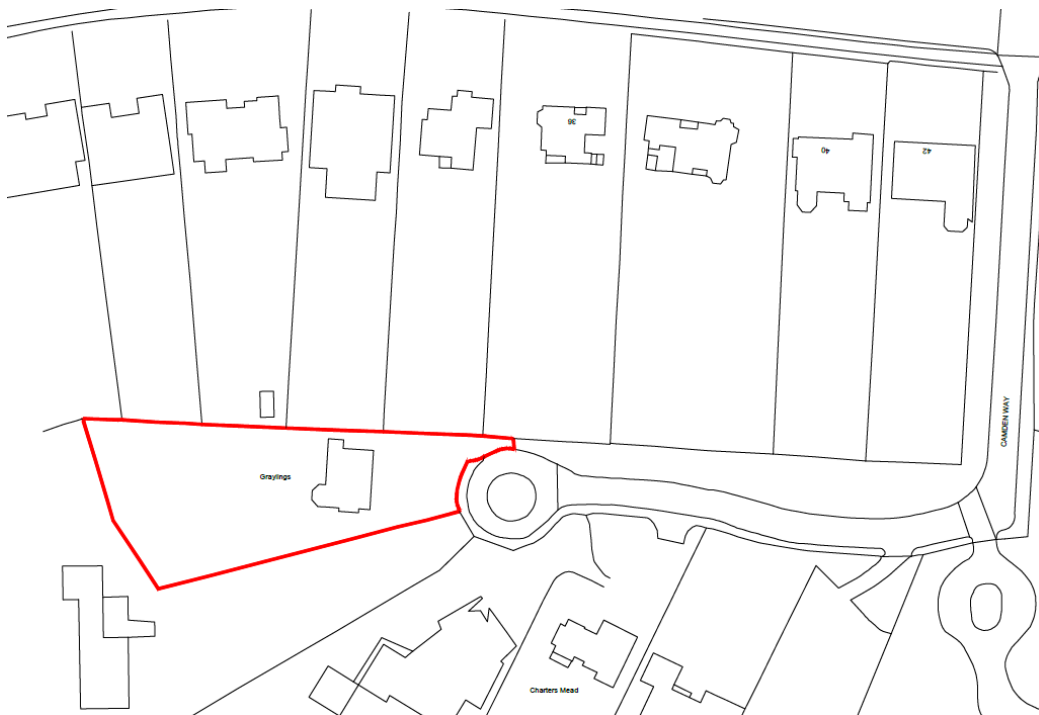
## 1 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- The application would result in a detrimental impact upon the character and appearance of the host dwelling which is located within the Chislehurst Conservation Area, causing less than substantial harm to the designated heritage asset (the Conservation Area) to which there would be no public benefits.
- The proposed development would neither preserve or enhance the character and appearance of the Chislehurst Conservation Area within which it lies.
- The proposal is therefore contrary to the aims and objectives of Section 16 of the National Planning Policy Framework (2021), Policy HC1 and D4 of the London Plan and Policies 4, 8, 37 and 41 of the Bromley Local Plan, as well as the Chislehurst Conservation Area SPG.

## 2 LOCATION

2.1 The application site currently hosts a detached two storey dwelling located at the western end of Camden Way, a cul-de-sac accessed via Camden Park Road. It is set within large grounds of 0.154ha, and the plot both tapers outwards and slopes downwards towards the rear.

2.2 The host dwelling lies within the Chislehurst Conservation Area.



**Figure 1: Site Location Plan**

- 2.3 The Chislehurst Conservation SPG outlines the character of the Conservation Area, with paragraph 3.21 referring to residential areas developed on former country estates during the nineteenth and early twentieth centuries, particularly examples which are of historical and/or architectural note (such as Camden Park Road).
- 2.4 Camden Way is accessed via Camden Park Road, and historic maps show that the application site was constructed at a similar time to the original developments on Camden Park Road, as shown in Figure 2 below.

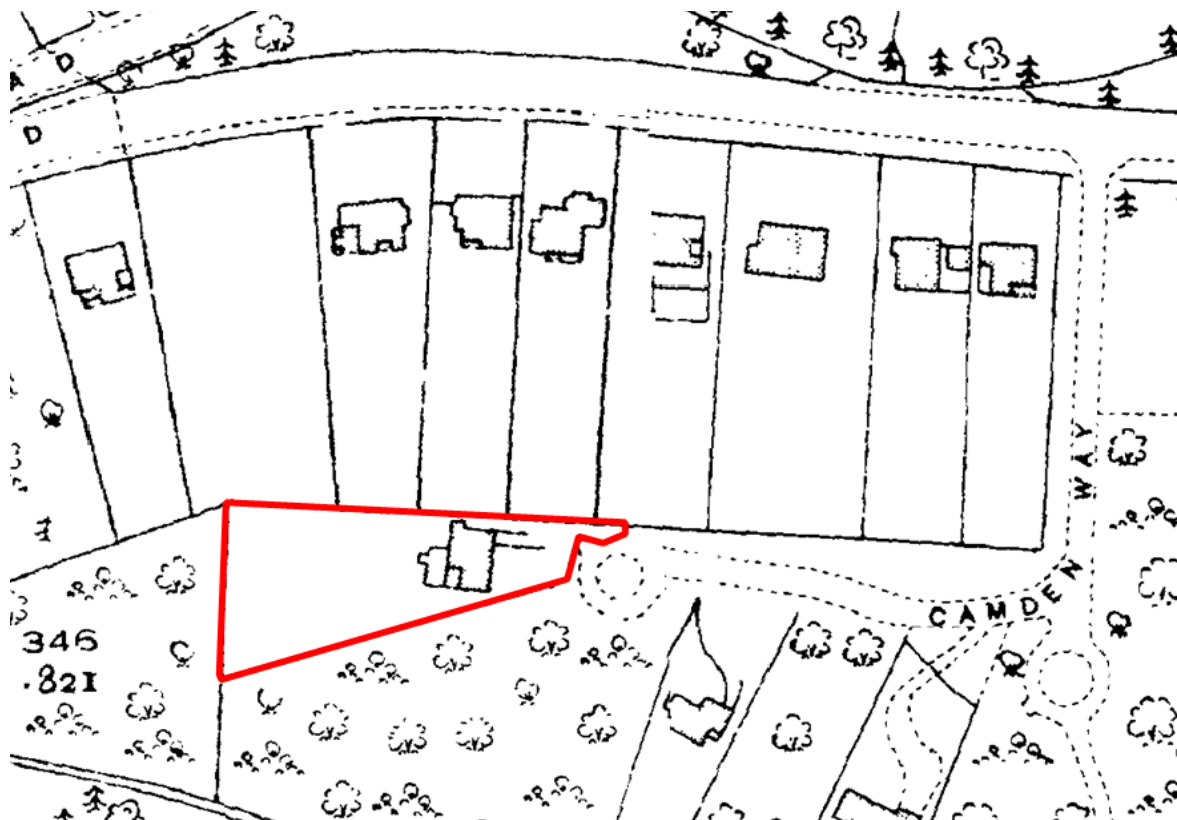


Figure 2: Historic Map – 1933 - 1943

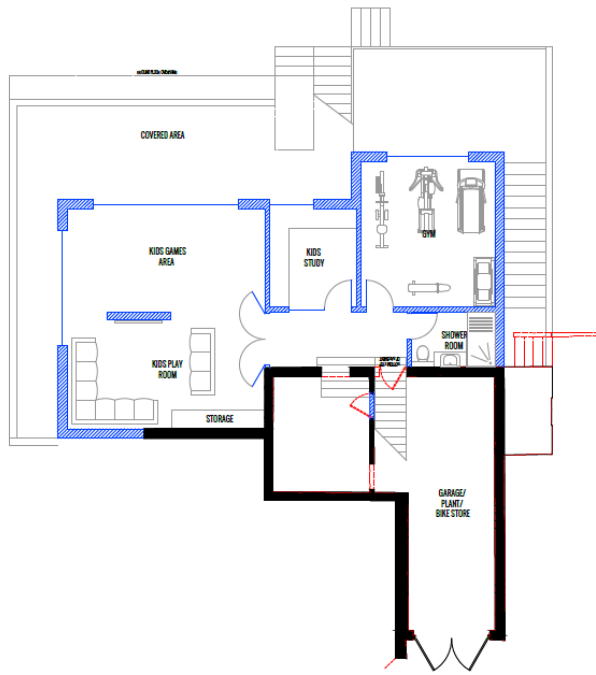




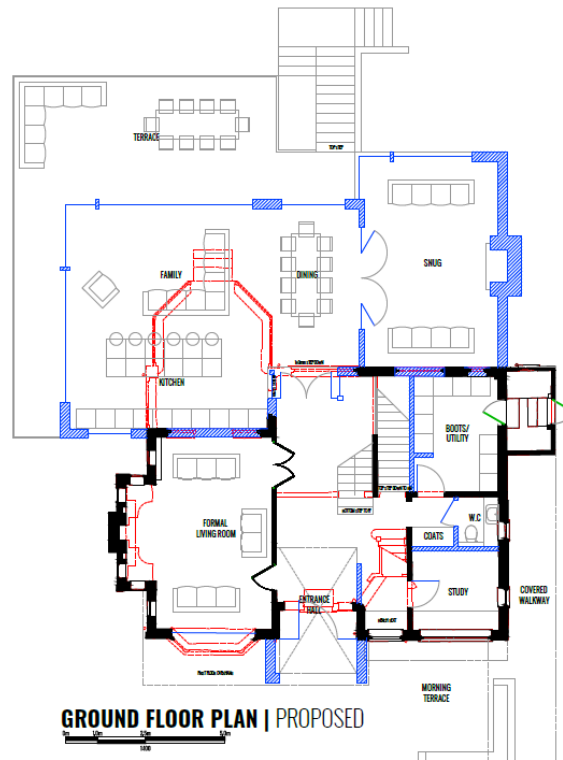
**Figure 3: Front of existing dwelling**



**Figure 4: Rear of existing dwelling**

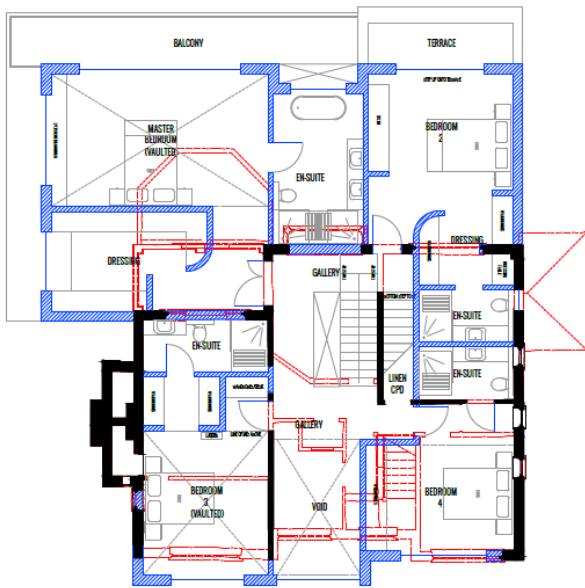


**BASEMENT FLOOR PLAN | PROPOSED**

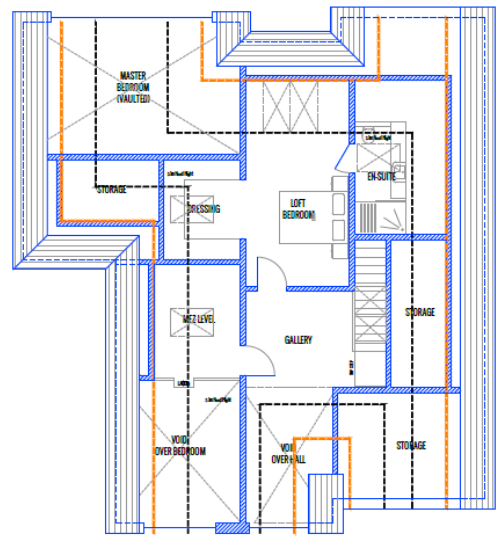


**GROUND FLOOR PLAN | PROPOSED**

**Figure 5: Proposed Basement and Ground Floor Plan**



**FIRST FLOOR PLAN | PROPOSED**



**LOFT PLAN | PROPOSED**

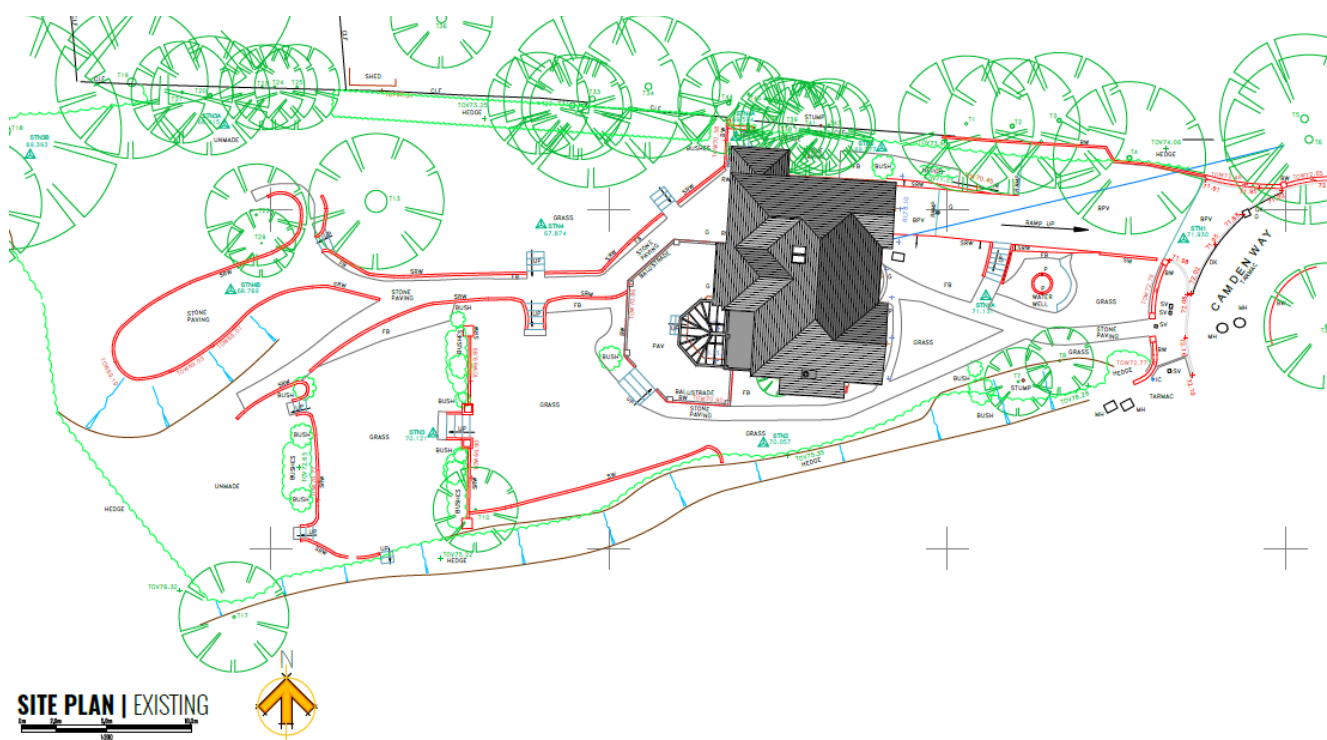
**Figure 6: Proposed First and Loft Floor Plan**

### 3 PROPOSAL

3.1 The application seeks permission for the demolition of existing conservatory and erection of new lower ground, ground & first floor rear extension along with new first floor front extension and erection of detached garage.



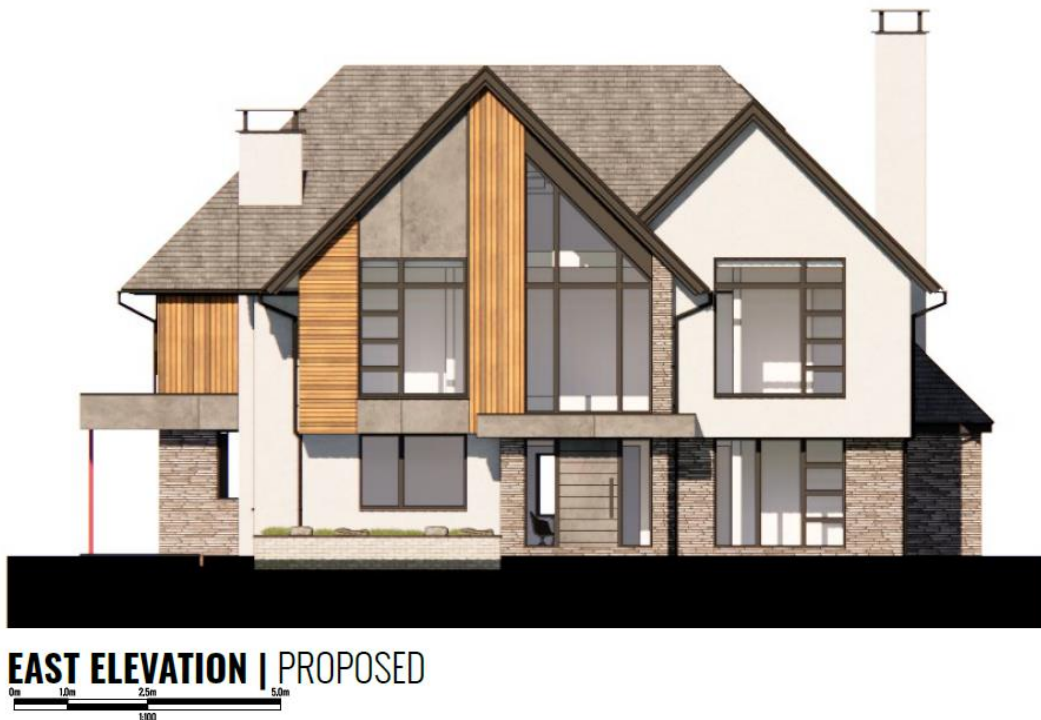
- 3.2 The proposed rear extension would project a maximum of approx. 6.75m beyond the existing rear wall at ground floor level, with the first floor projecting approx. 5.25m. The rear extension would wrap partially around the side of the dwelling, projecting 2.7m beyond its flank wall. A terrace area would be included to the rear of the extension, with a balcony and terrace also provided at first floor level.
- 3.3 The proposed basement level would match the footprint of the rear extension and would include a kids play room and study, a gym and a shower room (to the rear of the existing garage / plant / bike store).
- 3.4 The proposed front extension would project approx. 0.8m forwards of the existing front wall, to include a first floor overhang with front porch at ground level. The front extension would include a gabled roof design with the materials comprising a mix of facing brickwork, timber cladding, render, powder aluminium windows and a slate roof.



**Figure 7: Existing Site Plan**



Figure 8: Proposed Site Plan



**Figure 9: Existing and Proposed Front Elevations**

#### **4 RELEVANT PLANNING HISTORY**

4.1 The application site has the following relevant planning history;

- 88/04369/FUL – Conservatory on raised terrace – Permitted
- 97/01791/FUL – Single storey rear extension for a conservatory – Permitted



- 04/01140/FULL6 – Two storey front and single storey side extensions – Refused
- 05/01121/FULL6 – Two storey side and front extension – Refused
- 10/01014/FULL6 – Two storey side and rear extension including chimney stack to south flank, roof alterations including 2 rear dormers to create living accommodation in roof space, excavation and extension to create lower ground floor accommodation, provision of terrace and associated steps to garden area – Permitted
- 11/03880/FULL6 – side and rear extension including chimney stack to south flank, roof alterations including 2 rear dormers to create living accommodation in roof space, excavation and extension to create lower ground floor accommodation, provision of terrace and associated steps to garden area (revisions to permission ref. 10/01014 to include single storey ground floor rear extension and single storey side extension with cat slide roof and front boundary wall, piers, railings and entrance gates and infilling of front driveway) – Permitted
- 15/00991/FULL6 – Part one/two storey side and rear extension including chimney stack and cat slide roof to south flank, roof alterations including 2 rear dormers to create living accommodation in roof space, excavation and extension to create lower ground floor accommodation, provision of terrace and associated steps to garden area and front boundary wall, piers, railings and entrance gates and infilling of front driveway – Permitted
- 21/01852/FULL6 – Proposed retaining wall on boundary between Graylings and August House - Permitted

## 5 CONSULTATION SUMMARY

### A) Statutory

Conservation Officer:

- Object.
- The proposals represent both an overdevelopment in scale but also a virtual rebuild with loss of the entire character of the existing building to the detriment of both the building but also the designated heritage asset which is the Conservation Area.
- I am also concerned about the dominance of the front garage. (This has been omitted from the application).
- In my view less than substantial harm using the NPPF definition and no justification.

APCA:

- Objection.
- The existing building is one which makes a positive contribution to the character and appearance of the CA.
- The proposals represent both an overdevelopment in scale but also a virtual rebuild with loss of the entire character of the existing building to the detriment of both the building but also the CA.

Highways:

- Camden Way is only connected to Camden Park Road, which has no public vehicular rights, so Camden Way cannot have any public vehicular rights either.
- The removal of the detached garage from the scheme will increase the parking area on the frontage.
- I would have no objection to the application.

## **B) Local Groups**

No comments were received from local groups.

## **C) Adjoining Occupiers**

No comments were received from local residents.

## **6 POLICIES AND GUIDANCE**

6.1 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.

6.2 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.

6.3 The development plan for Bromley comprises the London Plan (March 2021) and the Bromley Local Plan (2019). The NPPF does not change the legal status of the development plan.

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

### **6.5 National Policy Framework 2019**

#### **6.6 The London Plan**

- D1 London's form and characteristics
- D4 Delivering good design
- D5 Inclusive design

#### **6.7 Bromley Local Plan 2019**

- 4 Housing Design
- 6 Residential Extensions
- 8 Side Space
- 37 General Design of Development
- 41 Conservation Areas
- 43 Trees in Conservation Areas
- 73 Development and Trees
- 123 Sustainable Design and Construction

#### **6.8 Bromley Supplementary Guidance**

- Supplementary Planning Guidance 1 - General Design Principles
- Supplementary Planning Guidance 2 - Residential Design Guidance

## **7 ASSESSMENT**

### **7.1 Impact on Conservation Area/Heritage Impact, and Design – Unacceptable**

- 7.1.1 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.
- 7.1.2 Paragraph 202/203 states 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.
- 7.1.3 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.
- 7.1.4 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.
- 7.1.5 Policy HC1 of the London Plan states that development proposals affecting heritage assets, and their settings, should conserve their significance, by being sympathetic to the assets' significance and appreciation within their surroundings. The cumulative impacts of incremental change from development on heritage assets and their settings should also be actively managed. Development proposals should avoid harm and identify enhancement opportunities by integrating heritage considerations early on in the design process.
- 7.1.6 Policy 41 of the Bromley Local Plan states that proposals for development in Conservation Areas should preserve and enhance its characteristics and appearance by respecting or complementing the layout, scale, form and materials of existing buildings and spaces; respecting and incorporating in the design existing landscape or other features that contribute to the character, appearance or historic value of the area; and using high quality materials.
- 7.1.7 The Chislehurst Conservation SPG outlines the character of the Conservation Area, with paragraph 3.21 referring to residential areas developed on former country estates during the nineteenth and early twentieth centuries, particularly examples which are of historical and/or architectural note (such as Camden Park Road). Camden Way is accessed via Camden Park Road, and historic maps show that the application site was constructed at a similar time to the original developments on Camden Park Road, as

shown in Figure 2 below, with the host dwelling appearing similar in its design and character to these properties.

- 7.1.8 The existing dwelling is considered to make a positive contribution to the Chislehurst Conservation Area, however it is considered that the scale of the development would not respect its existing character. The alterations would significantly alter the appearance of the host dwelling to an extent that it would appear as a rebuild of the property, with a large extension to its rear that would project beyond the flank wall and a front extension which would not retain the existing character in terms of its design and materials.
- 7.1.9 The Principle Conservation Officer considers that the proposal would result in an overdevelopment in terms of scale that would result in the loss of the entire character of the existing building to the detriment of both the building and the designated heritage asset which is the Conservation Area. As a result, it is considered that less than substantial harm using the NPPF definition would occur and that the development would neither preserve or enhance the character of the Conservation Area.
- 7.1.10 It is noted that within the Design and Access Statement the applicants consider that the surrounding properties provide a mixed character for the area all with individual styles, and other correspondence has been received which refers to a recent application approved at No.46 Camden Park Road. Whilst there is a degree of variation in the design of the immediate houses, as shown in Figure 2, the host dwelling is one of the remaining original dwellings within the road and its features are considered worthy of retention and make a positive contribution to the conservation area.
- 7.1.11 Furthermore, with regards to other developments referred to in the area these appear to have been granted prior to current planning policies including the current Bromley Local Plan (No.46 Camden Park Road was originally approved under ref: 12/01893/FULL1), and in other examples dwellings were not considered to positively contribute to the character of the Conservation Area in the same way as the existing dwelling at the application site.
- 7.1.12 In addition to this, it is noted that the host dwelling has benefitted from previous permissions for works to the property where the extensions proposed were considered not to detract from the host dwelling. However, the alterations proposed within the previous schemes on the site were considered more subservient and retained the original character and appearance of the host dwelling.
- 7.1.13 Whilst these cases are considered material considerations, the application is required to be assessed on its own merits regarding its design and scale.
- 7.1.14 As discussed previously, the existing dwelling is considered to have a significant positive contribution to the Chislehurst Conservation Area and Camden Way in particular. It is therefore considered by the Conservation Officer that the proposed development would result in the loss of the character of the existing dwelling which would damage the designated heritage asset and cause less than substantial harm, for which no justification has been made that would outweigh the detrimental impact upon the Conservation Area.
- 7.1.15 Whilst the resulting scale of the dwelling may not appear unduly out of keeping with some other large properties in the area, the scale of the extensions are not considered



to appear subservient or sympathetic to the host dwelling. The design of the development would significantly alter the appearance of the host dwelling and would not have a significant positive contribution to the Conservation Area given that it would fail to respect character of the existing house.

7.1.16 With regards to its siting within the plot, Policy 8 of the Bromley Local Plan normally requires proposals of two or more storeys in height to have a minimum 1m space from the side boundary of the side for the full height and length of the building, and where higher standards of separation already exist (such as within Camden Park Road) a more generous side space will be expected.

7.1.17 The proposed development would result in the increase in the width of the property given that the rear extension would project beyond the existing flank wall by approx. 2.7m. However, it would retain a minimum of approx. 2.8m to the flank boundary, which would increase to its rear given the tapering of this boundary. Having regard to this and the separation to nearby properties it is considered the development would not appear cramped in its plot and would protect the high spatial standards of the area, in accordance with Policy 8.

7.1.18 However, this would not outweigh the previous concerns raised regarding the overall scale and bulk of the extension and the significant alterations to the appearance of the host dwelling that would result in the loss of its original character and appearance. It is considered that the development would cause less than substantial harm (as defined by the NPPF) to the designated heritage asset which is the Conservation Area given that the resulting harm to the character of the Conservation Area would outweigh any benefit of the proposed development.

7.1.19 The proposal is therefore contrary to the aims and objectives of Section 16 of the National Planning Policy Framework (2021), Policy HC1 of the London Plan and Policy 41 of the Bromley Local Plan, as well as the Chislehurst Conservation Area SPG.

## 7.2 Residential Amenity – Acceptable

7.2.1 The host dwelling is sited to the western end of Camden Way, with its flank boundary adjacent to the rear boundary of properties facing onto Camden Park Road. It is considered that there would be sufficient separation distance to the rear elevations of these properties to prevent any significant impact to their amenities, whilst the existing vegetation on the shared boundary would limit any views of the extension from their gardens.

7.2.2 With regards to the impact on neighbouring properties on Camden Way, the adjoining property at August House is set back significantly in its plot compared to the host dwelling. The rear extensions would project closer to its front elevation, however a sufficient separation distance would be retained to prevent any loss of light, outlook or visual amenity. Furthermore, the existing boundary vegetation would further restrict views and prevent any unacceptable level of overlooking from the rear windows and proposed terrace area.

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

### 7.3 Highways - Acceptable

- 7.3.1 Camden Way is only connected to Camden Park Road, which has no public vehicular rights, so Camden Way cannot have any public vehicular rights either.
- 7.3.2 The original scheme proposed a detached garage to the front of the property, however this has been omitted from the proposed development.
- 7.3.3 Highways Officers have considered the application, and note that the removal of the detached garage from the scheme would increase the parking area on the frontage. It is considered that sufficient off-street parking would be provided within the curtilage of the site, and therefore no objection to the application is raised by Highways Officers regarding the impact upon highways matters.

## 8 **CONCLUSION**

- 8.1 Having had regard to the above it is considered that the development in the manner proposed is not acceptable in that the development would appear as a unsympathetic addition by way of its overall scale and design that would result in an unacceptable level of harm to the appearance of the host dwelling which makes a positive contribution to the Conservation Area. The design of the extensions are not considered to preserve or enhance the character of the Conservation Area and therefore the development would result in an unacceptable level of harm to its character and appearance.
- 8.1.1 It is acknowledged that the proposed development would not give rise to any significant loss of residential amenity to neighbouring occupiers and would not result in any harmful impact to levels of on-street parking within the area.
- 8.1.2 However, these matters would not outweigh the harm that the proposed development would cause to the designated heritage asset (the Chislehurst Conservation Area). Whilst the harm would be less than substantial, as stated within paragraph 202 of the NPPF, this harm should be weighed against the public benefits of the proposal, of which there are considered to be none.
- 8.1.3 The proposal is therefore contrary to the aims and objectives of Section 16 of the National Planning Policy Framework (2021), Policy HC1 and D4 of the London Plan and Policies 4, 8, 37 and 41 of the Bromley Local Plan, as well as the Chislehurst Conservation Area SPG.
- 8.2 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: Application refused**

#### **For the following reasons;**

- 1. The existing building makes a positive contribution to Camden Way and the Chislehurst Conservation Area, and the proposed development would result in unsympathetic additions and alterations that would negatively harm the character**

**and appearance of the Conservation Area generally, thereby contrary to the aims and objectives of Section 16 of the National Planning Policy Framework, Policy 7.8 of the London Plan and Policy 41 of the Bromley Local Plan.**