

SECTION '2' – Applications meriting special consideration

**Application No :** 10/02027/FULL6

**Ward:**  
**Chislehurst**

**Address :** Two Chimneys Oakwood Close  
Chislehurst BR7 5DD

**OS Grid Ref:** E: 543096 N: 170558

**Applicant :** Mr And Mrs M Jones

**Objections :** YES

**Description of Development:**

Erection of acoustic fence within the curtilage adjacent to the south and south east boundaries of the property max height 3 metres

Key designations:

Conservation Area: Chislehurst  
Biggin Hill Safeguarding Birds  
Biggin Hill Safeguarding Area  
London City Airport Safeguarding  
London City Airport Safeguarding Birds

**Proposal**

The proposal relates to a 3m acoustic fence to be erected adjacent to the south and south east boundaries of the property. The submitted plan indicates that the fence will be erected within 3m of the boundary and set within existing vegetation. An arboricultural assessment has been submitted relating to the proposed fence and its potential impact on the trees growing within the site.

The proposal is justified on the basis that the occupants at the application property have experienced an increasing loss of amenity arising from traffic noise given the proximity of the site to surrounding roads. A Noise Impact Assessment has been produced in support of the application.

**Location**

The property is located adjacent to the junctions between Yester Road, Yester Park and Oakwood Close. The southern boundary is defined by a substantial brick wall, whilst a dense layer of bushes and trees straddles the south and south east boundaries which serve to obscure most of the dwelling at 'Two Chimneys'. The rear garden of the property slopes downwards to the boundary with Yester Road.

## **Comments from Local Residents**

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

- proposed fence will be seen by motorists coming up the hill towards Oakwood Close
- the amount of traffic using Yester Road has been restricted as a result of width barriers. The installation of a wide tarmac cushion at the junction of Yester Road with Oakwood Close could be deployed to slow traffic adjacent to the site and improve road safety conditions which are unsatisfactory
- fencing is of excessive height
- proposed fencing could have a harmful effect on the existing hedging by cutting out its surface of light
- mature plants should be planted to ensure that there is adequate vegetative screening to obscure the proposed fence

Objections have been raised by the Chislehurst Society on the basis that

“This type of construction is alien to the residential locality and particularly a relatively quiet area within the conservation area. The area is hilly and it is difficult to make a full assessment of the impact of such a fence without more detailed topographical information which we would have expected to accompany this application. There is the potential for the proposed acoustic fence to be visible from several perspectives.”

## **Comments from Consultees**

Objections were raised by the Advisory Panel for Conservation Areas on the basis that the proposal will be harmful to the character and appearance of the Chislehurst Conservation Area.

No objection has been raised from an Environmental Health perspective, although it is unable to comment on the validity of the claims made in the acoustics report in respect of the anticipated noise reduction.

## **Planning Considerations**

Policies BE1, BE7 and BE11 of the Unitary Development Plan apply to the development and should be given due consideration. These policies seek to ensure a satisfactory standard of design; to ensure the retention of railings, walls, plantings and hedgerows of native species and other means of enclosure where they form an important feature of the streetscape; resist the construction or erection of high or inappropriate enclosures where such boundary enclosures would erode the open nature of the area, or would adversely impact on local townscape character; and to protect the overall character of conservation areas.

## **Planning History**

There is no relevant planning history relating to this application.

## Conclusions

The main issue relating to the application is the effect that it would have on the character and appearance of the streetscene and the wider Chislehurst Conservation Area.

Policy BE7 recognises that the introduction of new boundary enclosures can have a significant effect on the character of an area and that it is important that new enclosures are appropriate in scale, location and design. In this case the application site forms a prominent and relatively elevated plot, particularly visible from the junction of Yester Road and Yester Park.

However, it is recognised that the site benefits from significant vegetative screening which rises to a significant height. Following a reduction in the proposed height of the fence to 3m (down from 3½m) it is considered that the introduction of an acoustic fence of the height proposed may be justified on the basis that this may be screened by the screening which exists. In addition, a condition is suggested to ensure that the areas surrounding the proposed fencing are adequately landscaped to ensure that the appropriate screening remains. Furthermore, the materials of the proposed fencing should also be conditioned to ensure that they are appropriate to the surroundings.

Background papers referred to during production of this report comprise all correspondence on file ref: 10/02027, excluding exempt information.

as amended by documents received on 17.12.2010

## RECOMMENDATION: PERMISSION

Subject to the following conditions:

- 1 ACA01 Commencement of development within 3 yrs  
ACA01R A01 Reason 3 years
- 2 Details of the materials to be used for fencing hereby permitted shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced. The works shall be carried out in accordance with the approved details.

**Reason:** In order to comply with Policies BE1, BE7 and BE11 of the Unitary Development Plan and in the interest of the character and appearance of the Chislehurst Conservation Area.

- 3 Details of a scheme of landscaping around the proposed acoustic fencing shall be submitted to and approved in writing by the Local Planning Authority before the commencement of the development hereby permitted. The approved scheme shall be implemented in the first planting season following the first occupation of the buildings or the substantial completion of the development, whichever is the sooner. Any trees or plants which within a period of 5 years from the substantial completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species to those originally planted.

**Reason:** In order to comply with Policies BE1, BE7 and BE11 of the Unitary Development Plan and in the interest of the character and appearance of the Chislehurst Conservation Area.

In granting permission the Local Planning Authority had regard to the following policies of the Unitary Development Plan:

BE1 Design of New Development  
BE7 Railings, Boundary Walls and Other Means of Enclosure  
BE11 Conservation Areas

The development is considered satisfactory in relation to the following:

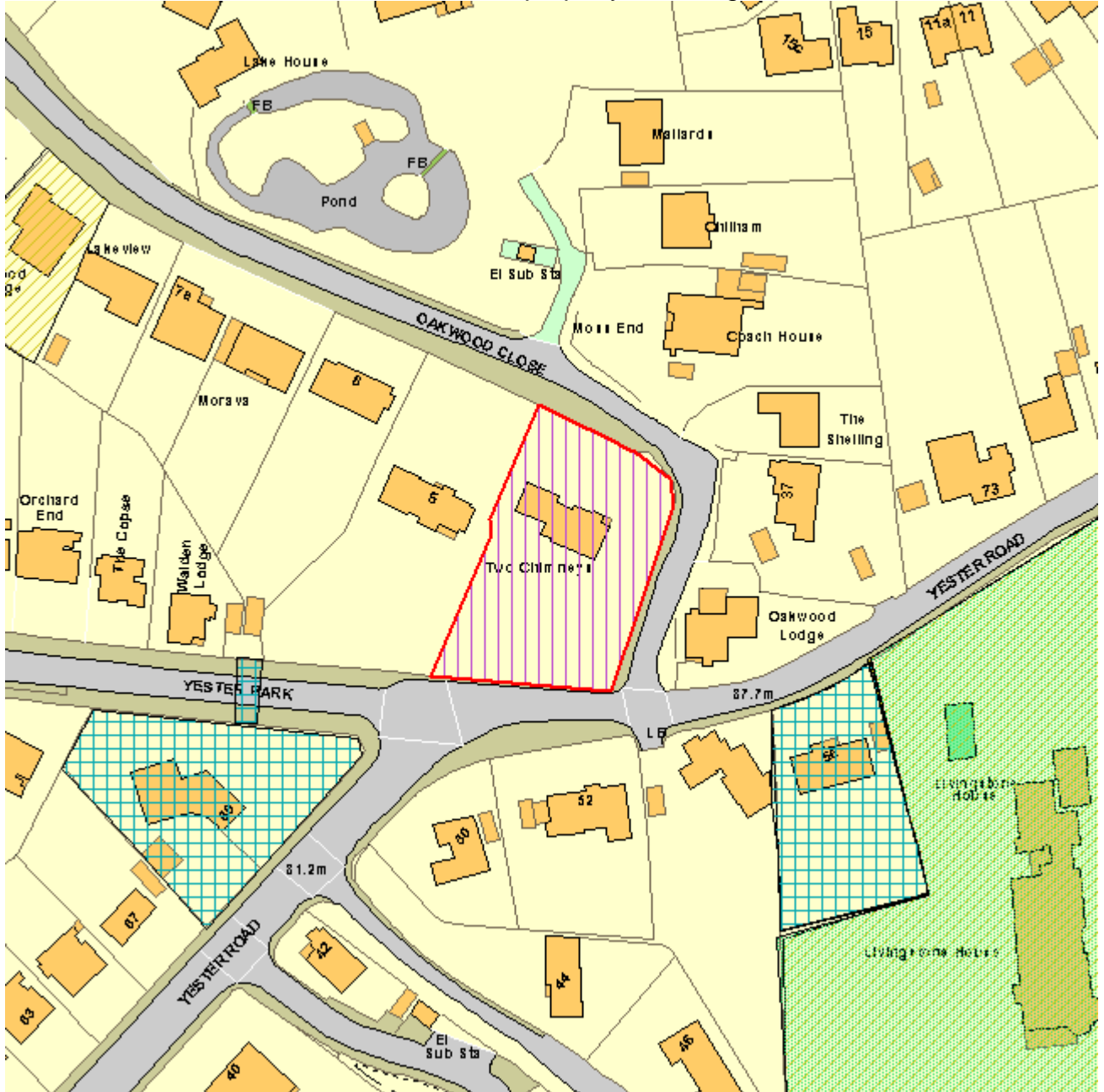
- (a) the appearance of the development in the street scene;
- (b) the character of the development in the Chislehurst Conservation Area;
- (c) the amenities of occupiers of adjacent and nearby properties

and having regard to all other matters raised.

Reference: 10/02027/FULL6

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