

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

Application No : 11/01408/FULL1

Ward:
Chislehurst

Address : 2 Berens Way Chislehurst BR7 6RJ

OS Grid Ref: E: 545565 N: 168470

Applicant : Mr Alan Ferguson

Objections : YES

Description of Development:

Demolition of bungalow and erection of five bedroom detached dwelling with integral double garage.

Key designations:

Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
London City Airport Safeguarding
London City Airport Safeguarding Birds

Proposal

- The proposed dwelling would have a maximum height of 9.6m, a depth of approx. 14m and a width of approx. 21.5m, with a minimum side space of 1m maintained to the flank boundaries.
- The application site is located on the southern side of Berens Way and comprises a detached bungalow.

Location

The application site is on the southern side of Berens Way. The site comprises a large detached bungalow in an area characterised by large detached dwellings on spacious plots.

Comments from Local Residents

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

- loss of outlook and loss of light
- boundary enclosures should be uniform
- excessive bulk and scale
- boundaries and existing structures are inaccurately drawn on the plans

- impact on trees – tree at front is worthy of a TPO
- possible overlooking to properties at the rear

The Chislehurst Society has objected on the grounds that the proposed balcony will overlook neighbouring properties.

Comments from Consultees

No technical highways objections are raised subject to conditions. The double access driveway is to be replaced with a single access and therefore the second access should be stopped up by way of a condition.

No Environmental Health comments have been made.

The Crime prevention Officer has not commented on the application.

Planning Considerations

Policies relevant to the consideration of this application are BE1 (Design of New Development), H7 (Housing Density and Design), H9 (Side Space), T3 (Parking) and T18 (Road Safety) of the adopted Unitary Development Plan.

Planning History

Planning permission was refused under ref. 09/02281 for the erection of 2 detached two storey four bedroom dwellings at Whitecroft Berens Way. The refusal grounds were as follows:

The proposal involves the unsatisfactory sub-division of an existing plot, creating 2 plots of restricted dimensions in comparison with the pattern of surrounding development, which would constitute an overdevelopment of the site, harmful to the street scene and spatial characteristics of the area, thereby contrary to Policies BE1 and H7 of the Unitary development Plan.

The proposed dwellings by reason of their size and siting, would have an unsatisfactory relationship with adjacent residential properties, harmful to the amenities of the occupants of those properties by reason of visual impact, loss of prospect and privacy, contrary to Policies BE1 and H7 of the Unitary Development Plan.

The proposed development would be lacking in adequate on-site parking provision to accord with the Council's parking requirements and to meet the needs of the development. This is likely to result in the demand for additional parking in Berens Way to the inconvenience of other road users, detrimental to the amenities of the area and prejudicial to road safety, thereby contrary to Policies T3, BE1 and H7 of the Unitary Development Plan.

Planning permission was refused under ref. 11/00021 for the demolition of bungalow and erection of 2 detached five bedroom two storey detached dwellings

with accommodation in roof space and integral garages at No. 2. The refusal grounds were as follows:

The proposal would result in the unsatisfactory and out of character sub-division of the existing plot, constituting a retrograde lowering of the spatial standards to which the area is at present developed and resulting in a design that would constitute a cramped form of development, contrary to Policies H7 and BE1 of the Unitary Development Plan.

The proposed development by reason of its rearward projection, height, bulk and proximity to the flank boundaries would have an overbearing visual impact on the adjoining properties and would be detrimental to the amenities of these properties by reason of loss of light and prospect, contrary to Policies BE1 and H7 of the Unitary Development Plan.

Planning permission was refused under ref. 11/01179 for the demolition of bungalow and erection of 1 detached four bedroom and 1 detached 5 bedroom dwellings with integral garages. The refusal grounds were as follows:

The proposal would result in the unsatisfactory and out of character sub-division of the existing plot, constituting a retrograde lowering of the spatial standards to which the area is at present developed and resulting in a design that would constitute a cramped form of development, contrary to Policies H7 and BE1 of the Unitary Development Plan.

The proposed development by reason of its excessive, height, bulk and proximity to the flank boundaries would have an overbearing visual impact on the adjoining properties and would be detrimental to the amenities of these properties by reason of loss of light and prospect, contrary to Policies BE1 and H7 of the Unitary Development Plan.

Conclusions

The main issues relating to the application are whether a satisfactory quality of accommodation and amenity for future occupiers would be provided; the effect that the development would have on the character of the area and the impact that it would have on the amenities of the occupants of surrounding residential properties. A further consideration is the impact of the proposed development to conditions of highway safety.

The predominant character of the area is highly spacious detached dwellings. The principle of detached dwellings is therefore not objected to and the unacceptable sub-division of this plot is now not part of the proposal. It is therefore considered that the spatial standards of the area would be respected by the proposal in terms of plot widths and general character. The extent of the development would continue to occupy a large width of the plot, however the hipped roof and first floor space around the building which results from this design is considered to be more in keeping with the characteristics of the area, which comprise several dwellings which occupy similar widths within their plots, such as Nos. 4 and 6.

The existing property is a bungalow which is somewhat out of keeping with the prevalent two storey development of the area on Berens Way. To either side of this bungalow are two storey dwellings. It is considered that the principle of developing this bungalow to two storey development would be acceptable in light of its siting next to larger dwellings, subject to sympathetic and suitable design and scale. The dwelling will be tall at 9.6m in height, however the tallest point will be sited centrally in the plot and when considering the street scene, the space around the building at upper floor level is considered to soften this impact to an extent that would result in a dwelling which does not appear overly bulky or prominent within the local context. This is further helped by the reduced roof height for the first floor accommodation above the garage,

In respect to the amenities of neighbouring properties, the proposed includes an increase in roof height which will impact on the outlook and light to neighbouring properties, each of which possesses ground and first floor flank windows. The height increase of the building to approx. 9.6m would have an affect on these properties, however the bulky roof would be sited further from the properties than previously proposed under the applications for 2 dwellings. The rear projection of the dwelling is staggered in a manner that projects beyond the building line of Berens Way but is more respectful to the outlook and light to the rear windows at No. 4.

The proposal brings the two storey development closer to the flank boundary with No.4, where there is currently a single storey garage. Flank windows at No. 4 facing the site are a ground floor kitchen and first floor bathrooms. The main impact to the side would be to the ground floor side kitchen window (as first floor ones serve a bathroom). This particular kitchen room is served by other light sources additional to this side window and the relationship between the buildings at the side would not be uncharacteristic of suburban areas of the Borough. It is acknowledged that there will be some loss of light and outlook from this side window, however this relationship coupled with the reduced roof bulk is considered to be a suitable relationship as to avoid serious loss of light or prospect that would warrant refusal. No first floor flank windows are proposed, and the proposed balcony is not considered to be harmful to amenities due to the dense screening on the boundary with Whitecroft. Landscaping and screening conditions can be imposed to further protect these neighbouring amenities.

The property to the west at Whitecroft will be approx. 11m from the development and it is considered that this separation will be adequate to prevent serious loss of outlook and privacy, subject to obscure windows on the side elevation. Views of the development would be oblique from the rear of this property and the separation will not result in a serious loss of prospect form the first floor side window, which appears to be large and may serve a bedroom. The rearmost flank window on the first floor serves a room which also possesses a rear window and therefore would not be the sole source of outlook. Taking these factors into consideration, the proposal is not considered to impact significantly on Whitecroft in terms of outlook. In respect to light, the bulk of the proposal will not be so oppressive and close to this neighbouring property as was previously proposed with the development for 2 houses on the site and it is therefore considered that this relationship is improved

to a degree as to not impact seriously on the dwelling or rear garden as to warrant a refusal.

To the rear of the site it is considered that the separation to properties on Kevington Drive is ample to prevent serious overlooking from the proposed rear dormers (separation of approx. 60m.)

It is noted that the existing property has a garage wall built onto the flank boundary with No. 4. A boundary enclosures condition can be imposed to control the future details of this boundary in the interest of the amenities of the neighbouring property.

In respect to trees on the site, the proposed drive to the new house does not take into account the mature oak at the front and this tree should be protected. The widening of the dropped kerb would be unacceptable and conditions can be imposed to protect this tree and details of access can be conditioned.

Having had regard to the above it was 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. It is therefore recommended that planning permission is granted.

Background papers referred to during production of this report comprise all correspondence on files refs. 09/02281, 11/00021 and 11/01408, excluding exempt information.

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- | | | |
|----|--------|--|
| 1 | ACA01 | Commencement of development within 3 yrs |
| | ACA01R | A01 Reason 3 years |
| 2 | ACA04 | Landscaping Scheme - full app no details |
| | ACA04R | Reason A04 |
| 3 | ACA07 | Boundary enclosure - no detail submitted |
| | ACA07R | Reason A07 |
| 4 | ACB01 | Trees to be retained during building op. |
| | ACB01R | Reason B01 |
| 5 | ACB02 | Trees - protective fencing |
| | ACB02R | Reason B02 |
| 6 | ACB03 | Trees - no bonfires |
| | ACB03R | Reason B03 |
| 7 | ACB04 | Trees - no trenches, pipelines or drains |
| | ACB04R | Reason B04 |
| 8 | ACB16 | Trees - no excavation |
| | ACB16R | Reason B16 |
| 9 | ACC04 | Matching materials |
| | ACC04R | Reason C04 |
| 10 | ACH03 | Satisfactory parking - full application |
| | ACH03R | Reason H03 |

- 11 ACH24 Stopping up of access
ACH24R Reason H24
- 12 ACI09 Side space (1 metre) (1 insert) eastern and western
ACI09R Reason I09
- 13 ACI13 No windows (2 inserts) first floor flank dwelling
ACI13R I13 reason (1 insert) BE1
- 14 Details of screening to the west side of the balcony hereby permitted shall be submitted and approved in writing by or on behalf of the Local Planning Authority before any work is commenced.

Reason: In order to comply with Policies BE1 and H7 of the Unitary Development Plan and in the interest of amenities of the adjacent properties.

Reasons for granting permission:

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

- BE1 Design of New Development
- H7 Housing Density and Design
- H9 Side Space
- T3 Parking
- T18 Road Safety

The development is considered to be satisfactory in relation to the following:

- (a) the impact on the character of the surrounding area
- (b) the impact on the amenities of the occupiers of adjacent and nearby properties, including light, prospect and privacy
- (c) the spatial standards to which the area is at present developed.

and having regard to all other matters raised.

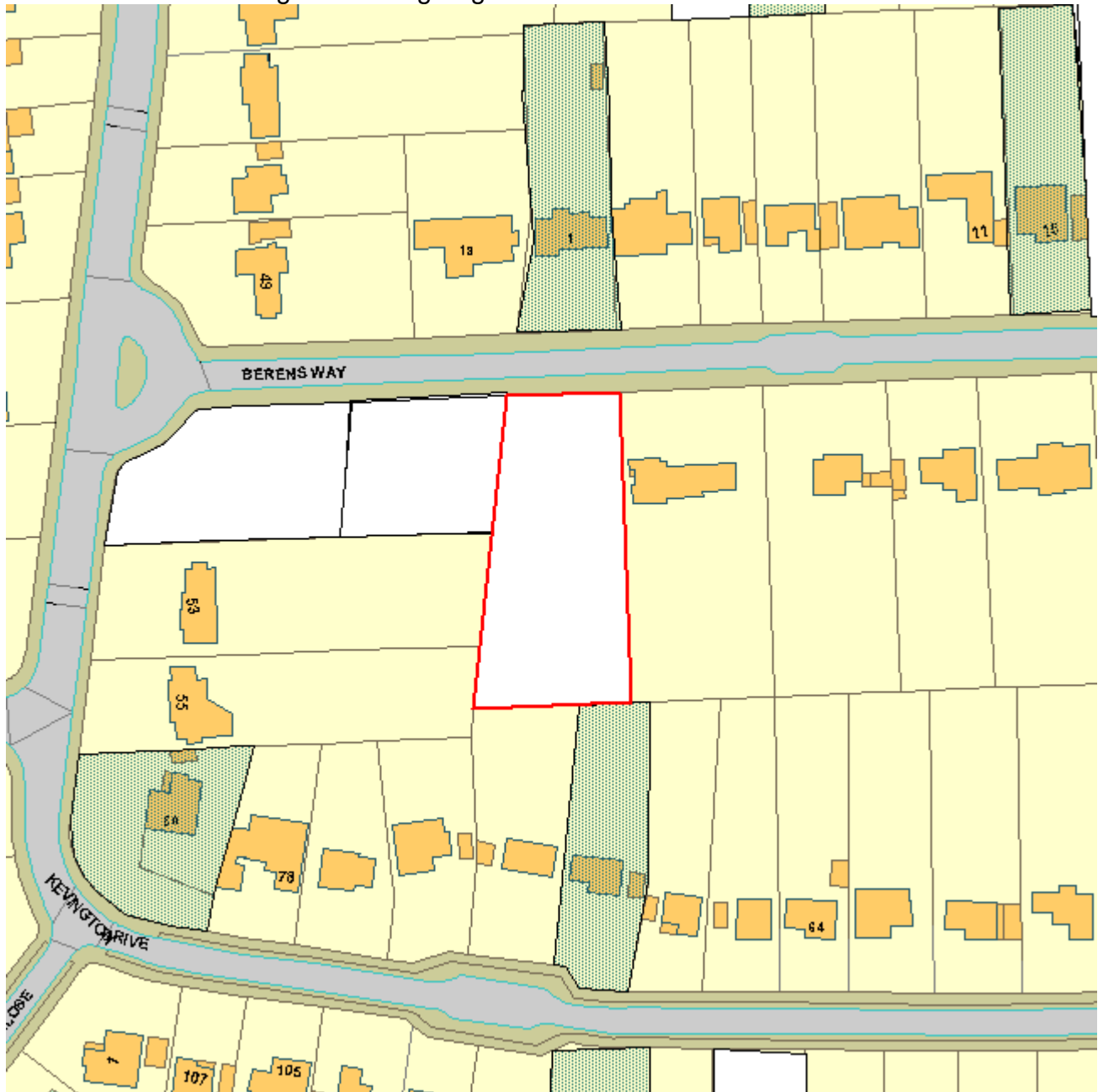
INFORMATIVE(S)

- 1 RDI16 Contact Highways re. crossover

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