
Appeal Decision

Site visit made on 1 November 2016

by L Fleming BSc (Hons) MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 21st November 2016

Appeal Ref: APP/G5180/W/16/3153255

14 Southend Road, Beckenham, Bromley BR3 1SD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Adam Jude Grant Esq against the decision of the Council of the London Borough of Bromley.
 - The application Ref DC/16/00267/FULL1, dated 20 January 2016, was refused by notice dated 22 April 2016.
 - The development proposed is erection of side and rear extension and conversion of dwelling to 7 flats (2 x one bedroom and 5 x two bedroom) with associated parking, amenity space, bin and cycle storage.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - whether the proposed development would preserve or enhance the character or appearance of the Southend Road Conservation Area;
 - the effect of the proposed development on trees.

Reasons

Conservation Area

3. No 14 Southend Road (No 14) is a substantial three storey semi-detached Victorian property with a basement. It sits in a row of four buildings comprising Nos 8 to 22 Southend Road (Nos 8 to 22) which are similar in scale and character and within the Southend Road Conservation Area (CA).
 4. In accordance with the duty imposed by section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990 I am required to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area. Furthermore, paragraph 132 of the National Planning Policy Framework (the Framework) states that when considering the impact of new development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.
 5. Nos 8 to 22 follow a common building line and have relatively even spaces between each building. Even though set back from the road behind mature trees and a boundary wall, the buildings remain visually prominent in the street
-

- scene. The spacious formal layout of the group of four buildings and their imposing scale are in my view defining characteristics of this part of the CA.
6. I acknowledge that the ridge of the roof of the proposed extension would be some 2.0 metres lower than the ridge of the main roof and the extension would be set back some 1.2 metres from the front elevation of the main building. Furthermore, I note the proposed fenestration would match the style and proportions of the existing building and the proposed development would be constructed from matching materials.
 7. However, even though the proposed extension would not be as wide as the extension it would replace, it would be significantly taller, climbing to the full eaves height of the existing building. I have noted the other extensions to Nos 8 to 22, including the extension to the side of No 10 Southend Road (No 10). However, although the extensions to No 10 are larger than the proposed extension, when viewed from Southend Road the front elevation is not as tall as the eaves of the main building. Furthermore, although extensions to No 8 to 22 have reduced the space between the buildings, the majority of these extensions are not as tall as the proposed extension, thus they are not as visually prominent in the street scene. Nonetheless, the presence of development is not sufficient to justify a development proposal as each case must be considered on its merits.
 8. Overall, I find the proposed extension would significantly reduce the space between the appeal property and No 16 Southend Road. Due to the height of the proposed extension, it would be particularly prominent in the street scene and through its height and bulk it would erode the space between the two buildings and would harm the formal and spacious layout of development in the area. Thus the proposed development would harm the character and appearance of the CA and the character and appearance of the CA would not be preserved.
 9. Therefore, for the reasons given, the development proposed would be in conflict with the development plan and the good design aims of the Framework. It would specifically conflict with Policies BE1, BE11, H7 and H9 of the Unitary Development Plan (UDP) and Policies 7.4, 7.6 and 7.8 of the London Plan: the Spatial Development Strategy for London Consolidated with Alterations Since 2011 (2016) (LP) which, taken together, aim to ensure good design and that new development preserves or enhances the character of an area.
 10. That said, I find the harm to the CA would be less than substantial and should therefore be weighed against the public benefits of the proposals. There would be some benefits such as adding new homes to the supply of housing in the area. There would also be employment opportunities associated with construction. Furthermore, more homes in the area would provide new customers and employees for local businesses and services. However, the benefits of the development would not outweigh the great weight that should be given to the designated heritage asset's conservation.

Trees

11. There are a number of mature trees scattered across the appeal site and close to its boundaries on adjacent land. The proposed extension and retaining wall would be relatively close to a number of trees, particularly an attractive mature

fir tree. Furthermore, the proposal would involve the creation of a substantial area of additional parking.

12. I acknowledge the plan submitted as part of the appeal which shows the trees closest to the proposed extension and retaining wall would be unaffected by the proposals. I also note the assurances in the appellant's statement that trees would be unaffected by the proposed development and protected in accordance with relevant standards. Furthermore, I acknowledge the suggestion of the imposition of a planning condition which could ensure any trees lost as a result of the proposed development are replaced and I note that porous materials could be used for hardsurfacing.
13. However, the evidence before me is not sufficiently detailed to enable a thorough assessment of the effects of the proposed development on trees. Whilst replacement planting could be provided, this would take some time to become established.
14. Overall, with the absence of substantive evidence which demonstrates that the proposed development would not harm all of the trees on the appeal site and those nearby, I will take a precautionary approach and conclude that the proposed development would be likely to be harmful to trees.
15. Thus, on the basis of the available evidence the proposed development would therefore be contrary to the aims of the development plan, specifically Policies BE14 and NE7 of the UDP and Policy 7.21 of the LP which seek to avoid harmful effects on trees and harmful effects associated with the removal of trees.

Conclusion

16. For the reasons given above and with regard to all other matters raised, I conclude that the appeal should be dismissed.

L Fleming

INSPECTOR