

Appeal Decision

Site visit made on 12 July 2017

by Elizabeth Lawrence BTP MRTPI

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

Decision date: 27 July 2017

Appeal Ref: APP/G5180/D/17/3174413
12 Hoblands End, Chislehurst, BR7 6HH.

- 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 & Mrs C Jeffreys against the decision of the Council of the London Borough of Bromley.
 - The application Ref DC/16/005777/FULL6 dated 15 December 2016, was refused by notice dated 8 February 2017.
 - The development proposed is described as a first floor side extension.
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Decision

1. The appeal is allowed and planning permission is granted for a first floor side extension at 12 Hoblands End, Chislehurst, BR7 6HH in accordance with the terms of the application, Ref DC/16/005777/FULL6 dated 15 December 2016, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plan: Drawing No. 1 of 1 Revision A dated 12/16.
 - 3) The external materials to be used in the construction of the side extension hereby permitted shall match those of the host dwelling.

Main Issue

2. The main issue is the effect of the scheme on the character and appearance of the street scene and the Chislehurst Conservation Area.

Reasons

3. Chislehurst Conservation Area (CCA) includes a diverse mix of styles and types of development and large open areas. The CCA is compartmentalised into a number of character areas, as defined in the Chislehurst Conservation Area-Supplementary Planning Guidance (SPG). The Appeal site is located within an area that is primarily open, with a small number of homes, commercial and community developments.
 4. Whilst much of the CCA dates back to the late 19th and early 20th centuries the Appeal site is located within a small modern gated private residential
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development which is well screened from the surrounding area by mature planting. In views from the entrance to the development the dwellings that are visible are seen against a backcloth of trees and are partially screened by trees and soft planting within the development. The development is bordered to the north by a school and gym and to the east by a traditional commercial building with a row of traditional two storey dwellings to the north of it.

5. The Appeal property comprises a detached house with an attached garage which is set in from the side boundary of the plot. A number of the dwellings within Hoblands End have been extended to the side with a combination of single, one and half and two storey extension. Whilst some of these extensions project up to the side boundaries of the plots concerned others are set in a short distance from their side boundaries. Overall the gaps between the dwellings both at ground and first floor levels vary considerably. This, together with the varied building lines, trees, soft planting and the curved alignment of the road contribute to the informal suburban character and appearance of the development.
6. Together and amongst other things policies BE1, H8 and H9 of the London Borough of Bromley Unitary Development Plan (UDP) require new development to be of a high standard of design. The scale, form and materials of domestic extensions should respect or compliment the host dwelling and the surrounding area. They should also respect the space or gaps between buildings where they contribute to the character of the area. The supporting text to policy H9 of the UDP explains that adequate separation should be retained between dwellings to safeguard privacy, to prevent a terracing effect or a cramped appearance and to protect the high spatial standards of the area.
7. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that when assessing proposals for new development within a conservation area, special attention shall be paid to the desirability of preserving or enhancing its character or appearance.
8. Consistent with this, policy BE11 of the UDP seeks to preserve and enhance the character or appearance of conservation areas. New development should respect the scale, form and materials of existing buildings and spaces and respect features that contribute to the character, appearance and historic value of the area. The SPG advises that extensions should reflect the form, materials, textures and finishes of the host dwellings and account should be taken of the space around buildings as they are often an important part of the character and appearance of an area.
9. The above policies and advice are consistent with the National Planning Policy Framework (NPPF), which states that new development should respond to local character, reflect the identity of local surroundings and add to the quality of the area.
10. Section 12 of the NPPF states that when considering the impact of a development on the significance of a designated heritage asset great weight should be given to its conservation. Any harm requires clear and convincing justification, whilst opportunities for new development in conservation areas should be sought. Where a proposal would lead to less than substantial harm

to a designated heritage asset, this harm should be weighed against the public benefits of the proposal.

11. The proposed extension would be set back from the front building lines and would be lower than the existing dwelling. In addition its roof would be fully hipped to the front and side and the extension would be constructed from materials which would match those of the existing dwelling. Overall it would be subservient to and would respect the character and appearance of the host dwelling. Indeed it is noted that the Council has raised no concerns relating to the design and appearance of the proposed extension.
12. Currently the gap between the existing attached garage and the side boundary of the site is in excess of 0.65 metres from the side boundary of the dwelling. With the proposal this relationship would remain unchanged and the proposed first floor extension would be sited approximately 1.5 metres from the side boundary of the property. As stated above, the first floor extension would be set back from the front wall of the host dwelling and its roof would be fully hipped away from the boundary of the site. At the same time it should be noted that the adjacent dwelling at 11 Hoblands End (No.11) projects forward of the Appeal dwelling.
13. As a result of these factors the proposed extension would be visually discrete and would be screened in most views along Hoblands End. Where it could be seen it would maintain the separate identities of the Appeal dwelling and No.11 and would not result in a cramped appearance or terracing effect. The resultant gap between the two properties would respect and preserve the overall character, appearance and spatial standards of the street scene, the local area and the CCA as a whole and would not harm the significance of the CCA. It would not result in a material loss of privacy for the occupiers of No.11.
14. For these reasons, whilst the proposed extension would not comply with the precise wording of policy H9 of the UDP, it would comply with its objectives. It would comply with policy H8 of the UDP which clearly provides some flexibility in assessing whether gaps between buildings respect or maintain the character and appearance of an area. In addition, the scheme would fully comply with policies BE1 and BE11 of the Local Plan. These policies weigh in favour of the scheme and outweigh the conflict with the precise wording of policy H9 of the UDP in this instance.
15. The Council has suggested the imposition of conditions relating to the use of matching materials and adherence to the submitted drawings. These conditions are necessary to ensure that the extension blends in appropriately with the host dwelling and in the interests of certainty.
16. Finally, reference is made in the officer report to various policies in the emerging Local Plan, although very few details are provided concerning their content and it is not stated whether any objections have been raised to them. In addition, no conflict with these policies is identified in the officer report or the Council's decision notice. Accordingly, I can give very little weight to them in relation to the consideration of the Appeal proposal.
17. I conclude that the proposed scheme would respect and preserve the character and appearance of the street scene and the CCA and would comply with policies BE1, BE11 and H8 of the UDP and the NPPF.

Elizabeth Lawrence

INSPECTOR