

Appeal Decision

Site visit made on 21 August 2017

by Clive Tokley MRTPI

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

Decision date: 07 September 2017

Appeal Ref: APP/G5180/D/17/3177698
175 White Horse Hill, Chislehurst, BR7 6DH.

- 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 Ms Camilla Baker against the decision of the Council of the London Borough of Bromley.
 - The application Ref DC/17/00972/FULL6 dated 11 October 2016 was refused by notice dated 21 April 2017.
 - The development proposed is described on the application form as a two-storey side extension, loft conversion/extension with rear extension infill.
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Decision

1. The appeal is allowed and planning permission is granted for a two-storey side, single-storey front and rear extensions to provide annex, roof alterations to provide habitable accommodation incorporating rear dormer and rooflights to front roof slope and elevational alterations at 175 White Horse Hill, Chislehurst, BR7 6DH. The permission is in accordance with the terms of the application Ref DC/17/00972/FULL6 dated 11 October 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 plans: CG-114 01 rev A, CG-114 02 rev A, CG-114 03 rev A, CG-114 04 rev A, CG-114 05 rev A, CG-114 06 rev A, CG-114 07 rev A, CG-114 08 rev A, CG-114 11 rev A and CG-114 12 rev A.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Clarification of proposal

2. The description on the application form has not been formally changed and I have therefore set this out in the heading above. However the description used by the Council and by the appellant in the appeal goes into more detail and includes specific reference to a single storey front extension which does not appear in the original. In the interests of clarity and completeness I have adopted the Council's description in my decision.
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Main Issue

3. The Council raises no concerns about the proposed front extension or the loft conversion including an enlarged rear dormer and roof lights. I have seen no evidence to indicate that I should take a different view on those aspects of the proposal. The main issue is the effect of the side extension on the character and appearance of the area with specific reference to its spatial standards.

Reasons

4. White Horse Hill extends north west from High Street and has long mixed residential frontages on each side. Between Oakdene Avenue and Elmstead Lane the west side of the road, including No 175, is fronted mainly by semi-detached houses under hipped roofs with front-facing bay windows.
5. The exception to this occurs immediately to the north of No 175 where two detached dwellings (Nos 177 and 181) flank a taller three storied gable-roofed house (No 179). The presence of these three buildings disrupts the rhythm of this part of the frontage and it is further upset by the two-storey flat-roofed extension at No 173 (attached to No 175) and the hip to gable extension at No 171. The flank wall of the extension at No 173 is close to its boundary with No 171. The Council indicates that the extension at No 173 has no planning history but it is nevertheless a part of the street scene.
6. The alterations and extensions in the vicinity of the appeal property contrast with the more consistent appearance that has been retained to the south between Cranmore Road and Oakdene Avenue. In this section of the street the original spaces at first floor level between the pairs of semis has been mostly retained.
7. *Bromley Unitary Development Plan 2006* (the UDP) includes a cascade of design policies. Policy BE1 is an overarching policy for all development and Policy H8 concerns residential extensions. These policies indicate that development should be well designed and compatible with its surroundings and Policy H8 indicates that space or gaps between buildings should be respected or maintained where these contribute to the character of the area. In addition Policy H9 specifically indicates that two-storey extensions should retain a minimum of 1m space from the side boundary for the full height of the wall.
8. The approach to design within Policies BE1 and H8 accords with that of the National Planning Policy Framework (the Framework) which indicates that good design is a key aspect of sustainable development. However the Framework indicates at paragraph 59 that "*design policies should avoid unnecessary prescription or detail*". Whilst Policy H9 is qualified by the inclusion of the term "normally" I consider that its stipulation of the distance between an extension and the boundary is inherently prescriptive. The supporting text indicates that, as regards design, the objectives of Policy H9 are to prevent a cramped appearance and unrelated terracing and to protect high spatial standards and visual amenity. I consider that these objectives can be achieved by the assessment of proposals on their own merits against Policies BE1 and H8. I therefore find that Policy H9 introduces an unnecessary element of prescription into the UDP. Taking account of Policy 215 of the Framework I consider that more weight should be given to the UDP policies BE1 and H8 that are consistent with the framework than to the detailed prescription within Policy H9.

9. The ground floor flank wall of the proposal would be on the line of the existing garage wall and therefore the proposal would not reduce the space between No 175 and 177 at that level. The first floor would be off-set further from the slightly angled boundary with a minimum gap of 1m at the rear corner. The space between the upper floor flank wall of the extension and that of No 177 would be similar to the spaces between Nos 177, 179 and 181.
10. As a result of the ground floor element the proposal would not achieve the full-height space to the boundary of 1m indicated in Policy H9. However I consider that in this location a reduction in the width of the ground floor element to comply with Policy H9 would not materially increase the sense of space around the building. I consider that the proposal would respect the spaces between buildings in the vicinity of the appeal property and would not detract from the spatial standards of the area. The proposal would not appear cramped on its site and the retention of a gap at first floor level and the contrasting characters of the neighbouring buildings would prevent any perception of terracing.
11. I consider that the hipped roof and the set back of the front wall of the proposal would result in a more successful integration with the original dwelling than has occurred at No 173 and that subject to the use of matching materials the proposal would not harm the character or visual amenity of the area.

Conclusion

12. UDP Policy H9 indicates that the standards set out within it will normally be required; however each proposal must be considered on its own merits. In the context of this part of White Horse Hill I consider that the appeal proposal would be compatible with its surroundings and would respect the spatial character of the area. It would not conflict with UDP Policies BE1 and H8 or those of the Framework as regards design to which I give greater weight than Policy H9. I therefore conclude that the appeal should succeed.
13. The normal conditions are imposed to control the commencement of development and identify the drawings. In order to ensure a satisfactory appearance a condition requires that the external materials should match the existing.

Clive Tokley

INSPECTOR