
Appeal Decision

Site visit made on 14 November 2017

by J Ayres BA Hons, Solicitor

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

Decision date: 11th December 2017

Appeal Ref: APP/G5180/W/17/3180271

175 Slades Drive, Chislehurst, London, Borough of Bromley BR7 6JZ

- 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 Richard Doorey against the decision of the Council of the London Borough of Bromley.
 - The application Ref DC/16/05574/FULL1, dated 30 November 2016 was refused by notice dated 3 February 2017.
 - The development proposed is a single storey rear extension, front porch and subdivision of existing dwelling to create 2 dwellings (1x3 bedroom and 1x1 bedroom) with associated access, parking, landscaping and refuse and recycling storage.
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Decision

1. The appeal is allowed and planning permission is granted for a single storey rear extension, front porch and subdivision of existing dwelling to create 2 dwellings (1x3 bedroom and 1x1 bedroom) with associated access, parking, landscaping and refuse and recycling storage at 175 Slades Drive, Chislehurst, London, Borough of Bromley BR7 6JZ in accordance with the terms of the application, Ref DC/16/05574/FULL1, dated 30 November 2016, subject to the conditions in the attached schedule.

Main Issues

2. The main issues are the effect of the proposal on the character and appearance of the area and on highway safety.

Reasons

Character and appearance

3. The site currently hosts an end of terrace dwelling which has been previously extended to the side. The site is bounded by Imperial Way and Slades Drive, to the front is an area laid to grass with an existing cross over in place providing access to No 173 Slades Drive. The area is residential in nature, consisting of two storey terraced or semi-detached dwellings. Due to the pattern of the road network and the development of the estate, there is a degree of variation with regards to plots sizes and shapes, particularly in respect of those dwelling situated on corner plots.
4. Due to the existing extension the property appears disproportionately larger than those in the existing terrace. The materials of the extension, although matching in general colour and design, are clearly an addition to the property.

The proposal would include a front porch, the design would mimic that of No 175 and this would break up the existing bulky form, and aesthetically enhance the appearance of the terrace.

5. The area to the rear of the site is already in use for the parking of vehicles. The ground floor extension would be relatively modest in size, replacing an existing shed. Both dwellings would meet the minimum outdoor amenity space standards as set out in the Mayors Housing SPG (2016). The modest rear amenity space would not reflect some of the larger gardens in the area. However, taking into account the existing layout and extent of built development on the site, the proposal would not introduce an additional level of built form that would result in harm to the character of the host property, or the area.
6. Accordingly, I find that the proposal would not be prejudicial to the character and appearance of the area, and would therefore comply with Policies BE1 and H7 of the Unitary Development Plan 2006 (UDP) in respect of their design and density principles. It would also comply with Policies 3.4, 3.5 and 7.5 of the London Plan with regards to respecting the local character and ensuring good design.

Highway safety

7. The one bedroom dwelling would utilise the access currently provided to the rear of the site. The existing access to No 173 would be extended across the verge to allow access to No 175. Adequate visibility splays are already provided. Although the proposal would increase the use of the access, I do not consider that the vehicle movements associated with one dwelling would result in a level of traffic that would result in an adverse impact on road safety.
8. Since the access was provided for No 173 the Council has re-assessed its approach to the protection of highway verges, to ensure that harm is not caused by additional access ways. The additional hardstanding used to extend the access would be in excess of 3 metres, which is contrary to the Council's policy in this regard. However the utilisation of an existing access rather than an entirely new access would, in my view, comply with the aim of the policy which is to preserve the character of the green amenity space and restrict the level of hardstanding. As such I consider that the proposal would not result in harm to the amenity space.
9. Both Nos 173 and 175 would provide parking immediately outside of the property for a number of vehicles and so it would unlikely that vehicles would park on the access itself. Based on the evidence before me, I am not persuaded that vehicles would be forced to reverse onto the road or use the grass verge for manoeuvring.
10. Overall, I find that the proposal would not have an adverse impact on highway safety or harm the character of the amenity space. It would therefore comply with Policies T11 and T18 of the UDP with respect to highway safety and minimising impact of development on amenity space.

Conditions

11. The Council has suggested a number of conditions which I have assessed in accordance with the Planning Practice Guidance (PPG) and the National

Planning Policy Framework. I have amended some of them for clarification and to eliminate duplication.

12. A condition specifying the plans is necessary in the interests of certainty. Conditions relating to materials, refuse and cycle storage and landscaping are necessary in the interests of the character of the area and amenity.
13. I have had regard to the Council's suggested condition restricting permitted development rights. The PPG advises that conditions restricting the future use of permitted development rights should only be used in exceptional circumstances. Taking into account the site, and the existing extent of development, I consider that such a condition would meet this test of necessity in these circumstances.

Conclusion

14. For the reasons above, and taking into account all other matters raised, I conclude that the appeal should be allowed.

J Ayres

INSPECTOR

SCHEDULE OF CONDITIONS

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans:
5723 – 03 Rev E Proposed Plans
4723 – 04 Rev A Proposed Elevations
- 3) Unless otherwise agreed in writing by the Local Planning Authority the materials to be used for the external surfaces of the development hereby permitted shall as far as is practicable match those of the existing building.
- 4) Before any part of the development hereby permitted is first occupied, 1 cycle parking space (including covered storage facilities where appropriate) shall be provided at the site in accordance with details to be submitted to and approved in writing by the Local Planning Authority, and the bicycle parking/storage facilities shall be permanently retained thereafter.
- 5) Details of arrangements for storage of refuse and recyclable materials (including means of enclosure for the area concerned where necessary) shall be submitted to and approved in writing by the Local Planning Authority before any part of the development hereby permitted is commenced and the approved arrangements shall be completed before any part of the development hereby permitted is first occupied, and permanently retained thereafter.
- 6) Details of a scheme of landscaping, which shall include the materials of paved areas and other hard surfaces, 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 building 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.

- 7) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order amending, revoking and re-enacting this Order) no buildings, structures, alterations, walls or fences of any kind shall be erected or made within the curtilage of the dwelling hereby permitted.

END OF SCHEDULE