



---

## Appeal Decision

Site visit made on 25 February 2020

**by Edward Cousins BA, BL, LLM, Barrister**

**an Inspector appointed by the Secretary of State**

**Decision date: 11 June 2020**

---

### **Appeal Ref: APP/G5180/W/19/3241316**

### **Bramshaw, Raggleswood, Chislehurst, BR7 5NH**

- 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 H Gray against the decision of the London Borough of Bromley
  - The application DC/19/03701/FULL1, dated 22 August 2019, was refused by notice dated 18 October 2019
  - The development proposed is described as demolition of existing dwelling and erection of a detached two storey 7 bedroom house with accommodation in the roof and associated parking
- 

### **Decision**

1. The appeal is dismissed.

### **Preliminary Matters**

2. Following the grant of planning permission under reference 19/00947, the current proposal includes a pair of front gable features that would be glazed to provide additional accommodation at roof level, together with a third smaller gable between the two.

### **Main Issue**

3. The main issue whether the proposed development would preserve or enhance the character or appearance of the Conservation Area.

### **Reasons**

4. Raggleswood is a gated private cul-de-sac comprising a low rise post-Second World War development of some 20 or so detached houses some of which have been modified in various respects. Access is gained from Old Hill, Chislehurst. It lies on the side of a hill overlooking the Quaggy River and the main London Tilehurst railway line on a trajectory from south-east to north-west. As the roadway is constructed on a slight upward gradient the houses on the north-east side are positioned at a marginally higher elevation than those situated on the south-west side.
5. Raggleswood lies within the Chislehurst Conservation Area. Policy 41 of the Local Plan requires new development to enhance and preserve the character and appearance of Conservation Areas. New development will be expected to respect and complement the layout, scale, form, and materials of existing buildings and spaces; and respect and incorporate in the design existing

landscape or other features that contribute to the character, appearance or historic value of the area.

6. Raggleswood is a residential estate characterised in the main by open frontages and areas of lawn lying to the front and to the sides of each dwelling house. There is little evidence of fencing or walls impeding the visual aspect between the houses and the pavement. The street design is therefore distinctive in that it provides a sense of openness and community. I therefore consider that Raggleswood in its current admixture of architectural styles makes a positive contribution to the character and appearance of the Conservation Area.
7. The appeal site (Bramshaw) is situated at the far north-east corner of Raggleswood and by virtue of its position it lies at a higher level than those houses on the opposite of the road.
8. The proposed development involves full height projecting gables and a large glazed central window lying between the two gables, and a mixture of hipped, pitched, flat, crown and gable roof features. The hipped roof would provide for accommodation within the roof structure. It would have an overall height of 8.8 metres, a width of 15.4 metres and a length of 15.3 metres.
9. Further, the separation distance between the boundaries of the existing dwelling and the next door dwelling immediately to its southeast (Candle Hill) is currently two metres. It is envisaged that at the south-eastern flank of the proposed building there will be a side separation space of one metre once the single storey garage is removed and replaced by a two storey development. It is also envisaged that there will a 1.5 metre side space to the north-western flank.
10. The proposed development would be therefore be sited in closer proximity to the side boundaries of the site than currently exists. This is of particular importance insofar as the south-eastern boundary is concerned and the negative impact this would have on the occupants of Candle Hill in that the proposed development would have a dominating effect on the use of their property.
11. Further, as the proposed development would be constructed on a site in advance of the profile of the existing house and would lie on a plot at a higher level than the houses on the opposite side of Raggleswood, this would result in an overbearing aspect in relation to the houses opposite which would have a detrimental impact on the streetscape.
12. Thus, owing to its height, appearance and construction the proposed development would have a strikingly harsh visual impact in the form of a visually dominating building with a bulky roof design which will be out of keeping and scale with the immediate neighbouring properties in Raggleswood which are not characterised by such similar designs. This will be detrimental to the streetscene. In this regard, I do not accept that the differences in height referred to by the appellant are only minor differences, when viewed in the context of the bulk, incongruity and positioning of the proposed development.
13. I therefore consider that the proposed development would be out of harmony and at variance with, and fail to respect, the aims of the Chislehurst Conservation Area, and in particular Policy 41 of the Local Plan requires new

development to enhance and preserve or enhance the character and appearance of this part of the Chislehurst Conservation Area.

14. I also take into account paragraphs 193, 194, 196 and 197 (Considering potential impacts) of the National Planning Policy Framework (the Framework). I consider that the proposed development would have a harmful impact which would adversely affect the significance of and the Conservation Area.
15. The Framework requires that harm to the Conservation Area should be weighed against the public benefits of the proposed development. Whilst the appeal proposal would provide a larger dwelling house on the appeal site, I consider that the benefits would not outweigh the harm that I have identified.
16. I therefore find that the proposed development would fail to preserve the character and appearance of the Chislehurst Conservation Area. Accordingly, it would be contrary to Policy 4 – Housing Design; Policy 8 – Side Space; Policy 37 – General Design of Development; and Policy 41 – Conservation Areas, of the Bromley Local Plan 2019. It will also be contrary to Paragraph 4.20 of the Supplementary Planning Guidance for the Chislehurst Conservation Area, and paragraph 130 of the National Planning Policy Framework (Achieving well-designed places).

### **Conclusion**

17. Therefore, for the reasons set out above, the appeal should be dismissed.

*Edward Cousins*

INSPECTOR