



Appeal Decision

Site visit made on 29 March 2021

by Victor Callister BA(Hons) PGC(Oxon) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 May 2021

Appeal Ref: APP/G5180/W/20/3249290

44 Highfield Road, Chislehurst BR7 6QZ

- 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 Ben Broomfield against the decision of The London Borough of Bromley Council.
 - The application Ref DC/19/05039/FULL1, dated 26 November 2019, was refused by notice dated 27 February 2020.
 - The development proposed is the demolition of existing bungalow and construction of replacement 5 bedroom 2 storey dwelling.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issues in this appeal are the effects of the proposed development on:
 - The character and appearance of the local area; and
 - the living conditions of the occupiers of 46 Highfield Road (No.46), with reference to outlook and overbearing effect.

Procedural Matters

3. Since Bromley Council's (the Council) refusal of the application Ref DC/19/05039/FULL1, the Mayor of London has adopted a new London Plan. In line with Planning Practice Guidance, my consideration of the issues of this appeal has, therefore, been on the basis of the National Planning Policy Framework (the Framework), the policies of the Bromley Local Plan (2019) (the Local Plan) and the London Plan (2021) (the London Plan). The appellant and the Council have confirmed that this is not prejudicial to their cases.

Reasons

Character and appearance

4. The proposed development involves the demolition of the existing detached bungalow on the appeal site located prominently on the inside curve of Highfield Road, opposite its junction with Southfield Road. It is one of a group of 5 detached bungalows that form a distinct cluster of similar form and character and that sit mostly obliquely to the angle of the curved road.

5. The proposal is to replace this existing single dwelling with a single 2 Storey 5 bedroom house with integral garage sitting orthogonally on the site. The proposed house is generally traditional in appearance with a complex low pitched and dormer roof form that would be an increase in height of 1 Metre compared to the existing bungalow on the site. Although the increase in terminal roof height is relatively modest, the proposed 2 stories and roof massing with integral accommodation, would result in significant bulk and increased height across the proposed development.
6. Due to the oblique positioning of the existing single storey bungalow on the site, the parts where it sits close to the boundary are limited in length. However, given the size of the appeal site and the scale, footprint and the positioning of the proposal, it would be in close proximity to this boundary and neighbouring properties for significant lengths. When combined with the height bulk and massing of the proposal, this would result in it appearing out of scale with the neighbouring bungalows when viewed from along the street and in wider views of the area.
7. I find, therefore, that the proposal would appear over scaled and incongruous in relation to its surroundings, accentuated by the proximity to the side boundaries and its neighbours, resulting in an unduly prominent, bulky and cramped appearance in the local streetscape and a visually jarring contrast to the established character of the area.
8. Whilst the design of the proposal reflects the character and appearance of similar sized detached houses to the proposed that are to be found nearby on this and other roads in the local area. These houses generally appear to sit on larger plots than the appeal site and, therefore, to have a more complimentary relationship with their neighbouring dwellings.
9. The appellant has drawn my attention to the development of the house at 'Carole' on Southfield Road that replaced a bungalow, which the appellant argues sets a precedent for the proposed development. However, the plot at 'Carole' sits is on a straight part of the road that results in it being significantly less prominent than the appeal site, which is on an inside curve in the road and opposite a road junction, which makes it prominent in wider views. This also allows for the new house at 'Carole' to have a complimentary spatial and visual relationship with its neighbours and does not exhibit the visual impacts of the appeal scheme I have identified above.
10. For these reasons the proposed development would result in significant harm to the character and appearance of the area and would not accord with Policies 4 and 37 of the Local Plan and Policies D1, D2 and D4 of the London Plan, which seek, amongst other matters, development to be well designed and to respect and protect the character of a neighbourhood and make a positive contribution to its sense of place and layout of a suitable density. The proposal would, therefore, not accord with Paragraph 127 of the Framework that seeks to ensure that development is sympathetic to local character.

Living Conditions

11. The proposed development would be positioned close to the boundary between the appeal site and the rear gardens of the dwellings at No.'s 42 and 46 Highfield Road. Whilst the distance to the boundary would be similar to those parts of the existing single storey bungalow, the extent and height of the

proposal's 2 storey flank walls would be more apparent when viewed from both these neighbouring properties.

12. The extent of the flank wall of the proposed development would be apparent from the property at No.42, however, due to the orientation of this bungalow on its plot, the location and extent of its detached garage and the distances involved, the impact of the bulk and height would not be so great that it would be so intrusive or overbearing to cause harm to the living conditions of the occupiers of this property.
13. However, when viewed from the rear of the bungalow at No.46, the height and extent of the flank wall of the proposed development and its proximity to the boundary, would result in a degree of enclosure to the rear of this property that would appear as overbearing. The proposed development would, therefore, be experienced as intrusive by the occupiers of No.46 when viewed from the ground floor rear rooms and particularly the small rear garden of this neighbouring property.
14. I find, therefore, that the overbearing and intrusive nature of the proposed development would result in significant harm to the living conditions of the occupiers of No.46. As such it would be contrary to Policy 37 of the Local Plan, which seeks to ensure that development respects the amenity of occupiers of neighbouring buildings, including outlook. The proposal would, therefore, not accord with Paragraph 127 of the Framework, which seeks to ensure that development creates places with a high standard of amenity and does not undermine quality of life.

Other Matters

15. The appellant has provided me with information on the previous applications for the appeal site. Whilst I acknowledge that the appellant has sought to make improvements to their development proposals, in my determination of this appeal I have considered the proposal on its individual merits.

Conclusion

16. For the above reasons and with the presumption in favour of sustainable development and Paragraph 11 of the Framework in mind, I conclude that the appeal should be dismissed.

Victor Callister

INSPECTOR