



Appeal Decision

Site visit made on 21 October 2021

by Rebecca Thomas MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 January 2022.

Appeal Ref: APP/PP/G5180/D/21/3273651

33 Berens Way, Chislehurst BR7 6RH

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against refusal to grant planning permission.
 - The appeal is made by Mrs Vimbai Egaru against the Council of the London Borough of Bromley.
 - The application Ref DC/20/05102/FULL6, dated 14 December 2020, was refused by notice dated 1 April 2021.
 - The development proposed is two storey front and side extension, part one/two storey rear extension.
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Decision

1. The appeal is allowed and planning permission is granted for two storey front and side extension, part one/two storey rear extension at 33 Berens Way, Chislehurst BR7 6RH in accordance with the terms of the application Ref DC/20/05102/FULL6, dated 14 December 2020, 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: A1/20/026/p/1, A1/20/026/p/2.
 - 3) The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

Procedural matters

2. Since the submission of the appeal, the National Planning Policy Framework from 2019 has been replaced, with the new version being published in July 2021 (the Framework). Amongst other changes, Section 12 has been amended to reflect the new National Model Design Code. Nevertheless the character protection aims of both local policy and the Framework are similar and so neither party has been prejudiced by this change in policy circumstances.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the area which is within the Marlings Park Area of Special Residential Character (ASRC).

Reasons

4. The appeal site is located within a residential street, characterised by dwellings set back from the road. Houses are set on varying levels, with the appeal site being at a higher level than those on the opposite side of the street. Dwellings in the local area tend to vary in design and appearance, and I was able to see that a number of the neighbouring dwellings featured gable frontages, dormer windows and varying types of alterations and extensions to front and side elevations. The properties immediately adjacent to the appeal site are a split level property with a dual pitched roof and staggered front elevation, with the other property being double-fronted with two gable features to the front, and a porch element between. I was able to see at my site visit a number of other properties with a dominant gable feature, several of which were projecting or spanned a significant part of the front elevation.
5. The appeal property currently has a single gable element, with a catslide roof alongside and a single storey garage attached to the side. The development would result in an additional gable feature to the front elevation, with the extensions wrapping around part of the front, the side and the rear of the house. The front elevation as proposed would introduce the new gable feature across the existing dwelling, with the result being that the existing gable would be set slightly behind and at a lower height to the proposed extension.
6. Whilst I accept that the proposed development would exceed the height of the original dwelling, the resultant appearance would provide a gable feature that is not unusual in the surrounding area. There is a wide variety of dwellings and roof treatments in the immediate locality and whilst I note that there is concern about the loss of the catslide roof, I do not consider that this would cause inherent harm to the character and appearance of the host dwelling and the ASRC.
7. Policy 44 of the Bromley Local Plan¹ says that development in ASRCs should respect, enhance and strengthen the distinctive characteristics of these areas. Policy 6 deals with residential extensions and expects development to, amongst other things, to be of a scale and form which respects or complements those of the host dwelling and local area. Policy 37 of the Local Plan expects a high standard of design and sets out a number of specific criteria to be considered.
8. I note the concerns that the proposed development would be dominant and bulky however the proposal is not wholly uncharacteristic of the local area and the projection forward of the existing elevation is limited. Whilst I acknowledge that the proposal would exceed the existing ridgeline, the result would be that the existing gable would appear as the subservient element to the extension. The extension to the front of the house is limited in depth and the materials proposed would be in keeping with the existing dwelling. I do not consider that the alterations would cause harm to the existing property nor the character and appearance of the area and the ASRC.
9. I have also had regard to the number of properties in the immediate area that have had varying alterations to their roof spaces and as such the development would not be harmful to the character and appearance of the streetscene. I therefore find that the proposal would take into account the plot widths and gaps between buildings, established street patterns, rooflines and streetscape

¹ Bromley Local Plan (January 2019)

rhythms and as such would not harm the ASRC and accords with Policies 6, 37 and 44 of the Local Plan.

Conditions

10. In addition to the standard timescale for implementation, it is necessary to attach a condition to confirm the approved drawings in the interests of certainty. In the interests of the character and appearance of the area, I have also imposed a condition to ensure that the external surfaces materials would match the existing.

Conclusion

11. I have found that there is no harm to the character and appearance of the appeal dwelling nor to the ASRC and local area. I therefore conclude that, subject to the above conditions, and having regard to all other matters raised, the appeal should be allowed.

Rebecca Thomas

INSPECTOR