



Appeal Decision

Site visit made on 25 February 2022

by Lynne Evans BA MA MRTPI MRICS

an Inspector appointed by the Secretary of State

Decision date: 21st March 2022

Appeal Ref: APP/G5180/D/21/3285184

33 Palace Square, Anerley London SE19 2LT

- 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 Christopher Lemmings against the decision of the Council of the London Borough of Bromley.
 - The application Ref: DC/21/02674/FULL6 dated 26 May 2021, was refused by notice dated 29 July 2021.
 - The development proposed is increase in ridge height to provide additional storey and conversion of loft with rooflights to the rear and elevational alterations
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Decision

1. The appeal is allowed and planning permission is granted for increase in ridge height to provide additional storey and conversion of loft with rooflights to the rear and elevational alterations at 33 Palace Square, Anerley London SE19 2LT in accordance with the terms of the application, Ref: DC/21/02674/FULL6 dated 26 May 2021, subject to the following 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: CPL-THO-00-DR-A-001-P01_A4; CPL-THO-00-DR-A-002-P01_A4; CPL-THO-V1-ZZ-DR-A-003-P02; CPL-THO-V1-XX-DR-A-004-P02; CPL-THO-V1-ZZ-DR-A-005-P02; CPL-THO-V1-ZZ-DR-A-006-P02; CPL-THO-V1-XX-DR-A-007-P02; CPL-THO-V1-XX-DR-A-008-P02; CPL-THO-V1-XX-DR-A-009-P02.
 - 3) No development shall commence until details and samples of the materials to be used in the construction of the external surfaces of the extension and alterations hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details and samples.

Preliminary Matters

2. The description of development was amended by the Council, in agreement with the Applicant at the application stage. This is the description I have also used.

Main Issue

3. The main issue in this appeal is the effect of the proposal on the street scene and on the setting of the Belvedere Road Conservation Area.

Reasons

4. The appeal property is a modest, two storey detached residential property on the north-west side of Palace Square, a no-through road within a predominantly residential area. The road slopes down from south-west to north-east. There is a wide variety of existing dwellings within Palace Square, particularly at this south-western end of the road. These range from large Victorian houses to much more modest, post-war detached and semi-detached properties, together with multi-storey flatted developments on the other side of the road, which side onto Palace Square.
5. The appeal property is between one of the tall and substantial Victorian houses and a pair of semi-detached houses and is lower in height than both the adjoining properties. Although brick is the predominant material there are also examples of render and stone dressings to the older properties and a mix of different fenestration styles. Given its size, particularly in relation to the adjoining Victorian property, its form and design as well as the range of materials found on the property, I do not consider that it makes a positive contribution, as existing, to the street scene.
6. The proposed extensions and alterations to the existing property would be extensive and a remodelling of the existing. It would be a contemporary design with a sloping front elevation and deep reveals to the windows at the upper floors. The height of the dwelling would be raised to become higher than the semi-detached property to the south-west, but it would still be noticeably lower than the traditional Victorian property it adjoins on the other side. Its increased height would result in the extended property forming a stepped appearance between the properties on either side.
7. The remodelling, particularly at the front, would give a greater vertical emphasis to the scale and proportions of the appeal property, which would relate to the Victorian style properties remaining in the street. The materials proposed would reflect the palette of materials in the local area. The design would be unashamedly contemporary but given the extensive variety of building heights, styles and materials in this part of Palace Square, I consider that the proposed style and design could be readily assimilated into the street scene. I consider that it would be imaginative and of high quality design whilst taking account of and would fit in with the overall form and layout of its surroundings.
8. The rear of the existing property, together with the rear of other properties in Palace Square can be glimpsed in gaps between houses in Cintra Park, the street to the rear and within the Belvedere Road Conservation Area. This is a predominantly residential area with its significance comprising a variety of attractive, large Victorian properties and villas. The glimpsed views that can be gained between some of the houses in Cintra Park reveal the wide variety of dwelling styles in Palace Square. I do not consider that these glimpsed views contribute greatly to the setting of the Conservation Area and the way in which the Conservation Area is experienced. These views would change with the proposed alterations and roof extension to the appeal property, but they would

continue to show the varied building styles. I do not consider that the property as extended and altered would become over dominant in such views. The proposed extension and alterations would therefore have a neutral impact on and preserve the setting of the Belvedere Road Conservation Area.

9. I am therefore satisfied that the proposed extension and alterations would respect the street scene and the character and appearance of the local area and would preserve the setting of the Belvedere Conservation Area. There would be no conflict with Policy D3 and D4 of the London Plan 2021 and Policies 37 and 41 of the London Borough of Bromley Local Plan 2019, as well as Sections 12 and 16 of the National Planning Policy Framework, all of which seek a high quality design which respects the local context, as well as the setting of heritage assets.
10. The proposal would introduce a change to the scale, form and materials of construction of the existing property and would therefore not comply with part of criterion a of Policy 6 of the Local Plan, but I have set out the reasons why, in the particular circumstances of this case, I consider that an exception should be made to this part of the policy and it would not justify a refusal of planning permission. Moreover, I am satisfied that the proposal would be compatible with development in the surrounding area which is also part of the same criterion under Policy 6 of the Local Plan.

Other Considerations

11. I have taken into account the concerns raised by residential neighbours. However, given the spacing to surrounding properties and the arrangement of windows in the proposed scheme, I do not consider that there would be any material harm to the living conditions of neighbours including with regard to overlooking and loss of privacy as well as levels of light. The Council has also raised no concerns in this respect.

Conditions and Conclusion

12. The Council has proposed a number of conditions in the event of planning permission being granted. The materials are generally indicated on the application forms although there is some lack of detail, and I therefore consider that full material details, together with samples, should be submitted and approved prior to undertaking the works in order to respect the local surroundings and context. A condition should be imposed to list the approved plans for the avoidance of doubt and in the interests of proper planning.
13. In order to be effective, it is my view that the condition relating to materials requires to be a pre-commencement condition. In accordance with Section 100ZA (5) of the Town and Country Planning Act 1990 and The Town and Country Planning (Pre-Commencement Conditions) Regulations 2018, I have therefore requested and received the Appellant's written agreement to the imposition of this condition.
14. For the reasons given above and having regard to all other matters raised, I conclude that the appeal should be allowed.

L J Evans

INSPECTOR