



Appeal Decision

Site visit made on 2 March 2022

by N Praine BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 MARCH 2022

Appeal Ref: APP/G5180/D/21/3284480

7 Manor Place, Chislehurst BR7 5QH

- 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 & Mrs D Spokes against the decision of the Council of the London Borough of Bromley.
 - The application Ref DC/21/02147/FULL6, dated 27 April 2021, was refused by notice dated 19 August 2021.
 - The development proposed is for a proposed part single/two storey, first floor extensions and room in the roof.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The application form makes reference to Mr and Mrs D Spooks, while the appeal form refers to Mr and Mrs D Spokes. The appellants' agent has confirmed the correct surname as Spokes and I have therefore used this name in the banner heading above.

Main Issues

3. The main issues are the effect of the proposed development on:
 - the character and appearance of the existing dwelling and the Chislehurst Conservation Area.
 - the living conditions of the neighbouring occupants of 6 and 8 Manor Place with particular reference to outlook and light.

Reasons

Character and appearance

4. The appeal site lies within the Chislehurst Conservation Area (CCA), sub-unit 12 Manor Park, Prince Consort Drive and subsidiary streets. The CCA's significance is largely derived from its wooded, semi-rural character and low-density spacious 19th and 20th century residential development. However, there are examples of more recent development which also sit in spacious settings and contribute positively to the significance of the CCA.

5. The Chislehurst Conservation Area Supplementary Planning Guidance 2001 (the SPG) states at paragraph 3.72 that sub-unit 12 retains some earlier buildings amongst the later development and the significance of this sub-unit is also derived from large houses on spacious plots set amongst mature trees.
6. 7 Manor Place is a detached two storey dwelling with single storey side projections to both sides, including an attached double garage. There is a sense of spaciousness around the property which is achieved by the separation of the upper floor accommodation from the shared side boundaries. The surrounding area is defined by predominantly detached dwellings of varied design and character and these existing properties are broadly set in spacious plots in accordance with the SPG.
7. The development proposes the erection of single storey, first floor and two storey extensions. It is also proposed to raise the eaves height of the existing dwelling and remodel the roof to provide additional roof space accommodation. The side wall above the garage would incorporate a staggered section as it recedes from the street frontage. However, a pinch point to the front of this extension would still have limited separation from the shared boundary.
8. The first-floor side elements would extend above the existing single storey side projections significantly reducing the upper floor spacing on both sides around the dwelling. When viewed from the street, much of this spacing around the dwelling would be lost. This would appear cramped within the site and within the more spacious context of the street scene. This harm to spaciousness would fail to preserve or enhance the CCA.
9. The neighbouring property at 6 Manor Place has been recently granted permission for development. I have not been provided with plans showing the first-floor massing of the dwelling prior to extensions at No 6. However, the description of development for the extensions to No 6 suggest parts of the first floor were replacement and only one upper floor side extension was proposed. I also observed that the upper floor is set in from the ground floor at the north-western side of No 6. These factors in combination create a different development to the current appeal. Consequently, the approved extensions at No 6 do not outweigh the harm I have identified above.
10. On the other side of the appeal property, 8 Manor Place was also granted permission for extensions. However, the upper floors of that extended property do not span the whole site and it therefore enjoys more generous spacing to its flank boundaries than the proposed development. Accordingly, this does not alter my findings on this main issue.
11. 10 Manor Place was also granted permission for the demolition of the existing dwelling and the erection of a replacement dwelling. The replacement dwelling at No 10 has its first-floor accommodation in its roof thereby reducing its bulk and mass across the upper floors. This is different to the appeal before me. As a result, this does not alter my findings on this main issue.
12. In terms of the approach set out in the National Planning Policy Framework (the Framework), the proposal would cause less than substantial harm to the CCA's significance as a designated heritage asset. The Framework is clear that irrespective of the level of harm, great weight should be given to the asset's conservation and, where a development proposal would lead to less than

- substantial harm, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
13. It is suggested that the proposal would leave the character and appearance of the area unharmed. However, I have found less than substantial harm to the CCA's significance as a designated heritage asset. Additionally, the enlargement of the dwelling would provide only a private benefit. Therefore, I have not been advised of any demonstrable public benefits that would outweigh the identified harm to the significance of the CCA.
 14. The proposed development would consequently harm the character and appearance of the existing dwelling and the Chislehurst Conservation Area. Accordingly, I find conflict with the relevant provisions of Policies 8, 37 and 41 of the Bromley Local Plan 2019 (the Local Plan), the SPG and the Framework which, amongst other things, seek to ensure that development is sympathetic to the character and appearance of the host dwelling and preserve and enhance the character and appearance of the Conservation Area.
 15. Policies 38, 43 and 73 of the Local Plan were included in the reason for refusal, however, these specifically refer to statutory listed buildings and trees. Given I have not been advised of any negative impacts on listed buildings or trees these policies are not engaged.
 16. The appellants have referred to Policies D1, D3, D4 and H2 of the London Plan 2021, Bromley's Supplementary Planning Guidance No 1 and Supplementary Planning Guidance No 2. These have been quoted as they, amongst other things, seek to protect the established character, appearance and spatial standards which characterise areas. I have considered these in this regard, however, they do not change my findings on this main issue.

Living conditions

17. 6 Manor Place is orientated at a right angle to the appeal property. Some parts of the first floor / two storey sections of the proposed development are sited close to No 6. However, the closest windows at No 6 serve a toilet and a wet room. The other windows at No 6 are some distance from the proposed development. The principal garden area of No 6 is also sited to the rear of No 6 and is separated and screened from the appeal proposal. Given this layout and the relationship between the buildings, I am not persuaded that the proposed development would create an unneighbourly effect on light or outlook to the occupants of no 6.
18. 8 Manor Place sits adjacent to No 7 but is set slightly forward of No 7. Accordingly, the main bulk of the proposed development would be sited to the side of No 8. All flank facing windows at No 8 are obscure glazed or secondary in nature. The appeal proposal would extend beyond the rear wall of No 8, however, the staggered nature of the upper floor side extension would step away from No 8 as it projects to the rear. This reduces the impact of the appeal proposal when viewed from the rear windows and garden area of No 8. The single storey rear extension would be flat roofed and given its modest height would have limited impact when viewed from No 8. Consequently, the proposed development would not create an unneighbourly effect on light or outlook to the occupants of No 8.

19. The proposed development would therefore not have a harmful effect upon the living conditions of the neighbouring occupants of 6 and 8 Manor Place with particular reference to outlook and light. It is therefore in accordance with Policy 37 of the Local Plan. This policy, amongst other things, addresses the need for high quality housing design and to respect the amenity of neighbouring occupants.
20. Policy 6 of the Local Plan was included in the reason for refusal on this main issue. However, this policy specifically refers to matters of character and appearance. I consider it is not relevant in relation to living conditions.

Other Matters

21. Neighbours have raised concerns in respect to privacy and landscaping to the front. Given my overall findings, there is no need for me to consider these matters further.

Conclusion

22. Whilst I have found no harm in respect of the impact upon living conditions of neighbouring properties, clear harm arises in respect of the impact upon the character and appearance of the Chislehurst Conservation Area in conflict with the relevant provisions of the development plan. For the above reasons, having regard to the development plan as a whole and all other relevant material considerations, the appeal is dismissed.

N Praine

INSPECTOR