The Planning Inspectorate

Appeal Decision

Site visit made on 12 September 2022

by Tim Wood BA(Hons) BTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 07 OCTOBER 2022

Appeal Ref: APP/G5180/D/22/3299699
1 Heathfield, Chislehurst BR7 6AF

- 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 and Mrs C Tresadern against the decision of the Council of the London Borough of Bromley.
- The application Ref DC/21/05575/FULL6, dated 29 November 2021, was refused by notice dated 4 March 2022.
- The development proposed is sliding gate and railings to driveway.

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this appeal is the effects of the proposal on the character and appearance of the conservation area.

Reasons

3. The appeal relates to this detached 2 storey house which is located within this residential area. The property sits with its frontage facing Heathfield and the flank of its plot adjacent to The Meadow. The property and a large area around it are within the extensive Chislehurst Conservation Area.

4. Heathfield and The Meadow contain a mixture of detached houses of varying styles. Their size and the mature planted surroundings result in a high quality of residential environment. It is notable that properties within Heathfield and The Meadow almost exclusively have open frontages with low walls or planted boundaries. This is a significant feature here and adds considerably to the intimate, informal quality of the area.

5. The proposal would result in railings and a sliding metal gate extending across the entire frontage of the property. The appellant indicates that it is their intention to retain and strengthen, if necessary, the existing planting. I appreciate that the railings and gate would allow views through however, I consider that the gate and railings would have a considerable visual presence, notwithstanding any landscaping. In my judgement, the proposal would significantly erode the open and informal nature of the frontage of this property, which is an important feature on this road. In this way, I consider that it would have a negative effect on the character and appearance of the area.

6. The appellant has drawn my attention to examples of properties within this conservation area where the Council has granted planning permission for similar forms of development, both on Ashfield Lane. I had the opportunity to see these at my site visit. The Chislehurst Conservation Area covers a large area and inevitably individual parts of it vary in character and appearance. In my view it is notable that Ashfield Road is a much busier road than Heathfield and sits opposite a large open area. Ashfield Road lacks the informal intimate sense of place that Heathfield possesses. Heathfield appears as a quiet backwater, whereas Ashfield Lane is a more trafficked and public thoroughfare.

7. I note that when the Council approved the examples of gates/railings which are referred to by the appellant, they made reference to existing examples of similar features. Whilst I do not seek to justify the Council's decisions for those examples, I can understand why they came to those decisions for that location. Although within the same Conservation Area, I consider that the effects of the gates and railings within the appeal site, would be particularly negative and out of place.

8. The appellants have submitted evidence of security issues which they refer to in support of the appeal. I can understand their concerns in this respect and take them into account in determining the appeal. The National Planning Policy Framework states that when considering the impact of development on the significance of a designated heritage asset (in this case, the conservation area), great weight should be given to the asset's conservation, regardless of the level of identified harm. It adds that any harm to its significance should require clear and convincing justification. The level of harm that I identify which would result from the proposal is 'less than substantial' harm, as defined within the Framework. It is necessary to balance this harm with any public benefits that may arise. I have taken account of the potential for the proposal to reduce the potential for crime at the appeal site. In my judgement this is insufficient to outweigh the harm to the character and appearance of the conservation area and does not provide the clear and convincing justification which would be necessary.

9. As a result of my findings, I conclude that the proposal would fail to preserve or enhance the character and appearance of the conservation area. There are no matters sufficient to outweigh that harm. As a result, the proposal is contrary to Policies 37 and 41 of the London Borough of Bromley Local Plan 2019. Therefore, the appeal is dismissed.

T Wood

INSPECTOR