



Appeal Decision

Site visit made on 1 August 2023

by L Reid BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 5th September 2023

Appeal Ref: APP/G5180/W/22/3311474

9 Bonar Place, Chislehurst BR7 5RJ

- 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 Albermarle Bonar Ltd against the decision of the Council of the London Borough of Bromley.
 - The application Ref DC/22/01329/FULL1, dated 29 March 2022, was refused by notice dated 2 September 2022.
 - The development proposed is demolition of existing family dwelling and construction of three new single family dwellings.
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Decision

1. The appeal is dismissed.

Applications for costs

2. An application for costs was made by Albermarle Bonar Ltd against the London Borough of Bromley. This application is the subject of a separate Decision.

Procedural Matters & Background

3. The planning application form was completed in the name of Albermarle Bonar Ltd, but the appeal form is completed in the name of Mr Ben Carrington. It has subsequently been confirmed that Mr Ben Carrington is the sole director of Albermarle Bonar Ltd. I have therefore considered Albermarle Bonar Ltd to be the appellant in this case. There is no evidence before me to show that the appeal is not valid. The appeal form is dated November 2022 and was therefore submitted within the relevant timescale.
4. A previous appeal at the site for the demolition of existing family dwelling and construction of three new single family dwellings was dismissed in October 2021¹. The proposal seeks to address the concerns of the previous Inspector with respect to character and appearance. I have therefore had regard to this previous appeal decision in reaching my decision.

Main Issue

5. The main issue is the effect of the proposal on the character and appearance of the surroundings.

Reasons

6. The appeal site comprises a two storey detached house with single storey garage which sits on a spacious plot adjoining Bonar Place and Elmstead Lane.

¹ APP/G5180/W/21/3271500

The character of Bonar Place is residential with the typography creating a rhythmical pattern of development as houses follow the trajectory of the rising and sloping ground around the curve of the cul-de-sac. Elmstead Road has a steeper topography which is heavily defined by the presence of trees and landscaping.

7. In the delegated officer's report, the Council have indicated that as the building would have access from both Bonar Place and Elmstead Lane, both these elevations could be seen as principal elevations and would negatively impact the existing context. However, I take no issue with this element of the proposal and understand that there have been no changes to the Elmstead Road elevation as the previous Inspector concluded this part of the building would be acceptable. There is no information before me to reach a different view.
8. In the previous appeal decision, the Inspector found that the building would reduce the area of land around the building bringing built form closer to the neighbouring houses and the footprint and scale of the building would combine to produce a cramped form of development.
9. Whilst I do not have the full plans of the previous appeal decision before me, the evidence shows that the design of the building has been revised which includes a flatter roof slope with ridge height and eaves level lowered. As the height of the building has been reduced, it would better follow the sloping nature of Bonar Place.
10. When compared with the existing footprint, the footprint of the building would be set further back into the site, however, this would not mitigate the extent and size of the footprint spanning further across the plot than the existing building. Extending across the plot to a greater width would erode the existing spaciousness at the site, which the previous Inspector identified to be a key feature of the prevailing character of Bonar Place, an assessment which I agree with.
11. Along Bonar Place there is variation in the plots in terms of distance between houses and neighbouring boundaries, some of which have garages sited right on the boundary, similar to the appeal site. However, at the appeal site, the existing garage is set further back into the plot which creates a substantial gap between the side elevation of the existing house and No. 8. This gap adds to the spacious character and provides visual relief between the two sites, unlike some of the neighbouring houses which have more of a compact character.
12. When compared with the previous scheme, the evidence shows that the size of the footprint of the building has been reduced, having been slightly pulled in along one of the sides which increases the distance from No. 10, and additional setbacks along the front elevation through the loss of two gable ends. However, the gap between the side elevation of the building and the boundary with No. 8 has remained unaltered. The reduction in depth would therefore not resolve the size of the footprint to a meaningful extent.
13. Despite the reduction in height and increased setback along the rear building line, the building would remain to have a substantial massing on the southern end side of the building. Given this and the close proximity to the shared boundary with No. 8, the building's scale along this side elevation would accentuate the perception of the smaller gap between the two buildings. Consequently, it would give the impression of a cramped and incongruous

development which would be further highlighted in the street scene due to the prominent location of the site. The specific design details in terms of the material palette would not sufficiently address this issue.

14. I therefore conclude that the proposal would cause significant harm to the character and the appearance of the surroundings and would conflict with Policies D1, D3, D6 and H2 of the London Plan (2021) and Policies 4, 8 and 37 of the Local Plan (2021). Taken together, these policies recognise that local character evolves over time and will need to change in appropriate locations to accommodate additional housing on small sites, however, development should deliver buildings which complement the context, scale and spacing of adjacent buildings and should be of a high quality design to positively contribute to the existing street scene.

Other Matters

15. I understand that the Council have previously granted planning permission for a large extension at the neighbouring house. As this relates to the erection of an extension to an existing house, it is not directly comparable to the appeal scheme. In any case, every appeal must be considered on its own merits. The presence of this extension does not justify the harm to the character and appearance that I have identified above.
16. The Council have not found any reason for refusal due to crime and security, access, traffic, parking and highway safety, and impact on neighbouring occupiers. Based upon the evidence before me, I have no reason to conclude differently on these elements. Whilst title deeds may restrict the number of houses which can be built on the road, I have not been provided with these deeds, and in any event, this would be a private matter outside of planning control.

Planning Balance

17. There is no doubt that small sites can make an important contribution to meeting the housing requirements of an area and the proposal would create three homes which would support the government's objective of significantly boosting the supply of homes. Whilst I attach some weight to the housing delivery benefits of the proposal, these benefits would not outweigh the harm arising to the character and appearance of the surroundings.

Conclusion

18. For the above reasons, I find that the proposal conflicts with the development plan, read as a whole. There are no material considerations that have been shown to carry sufficient weight to indicate a decision otherwise in accordance with it. I therefore conclude that the appeal should be dismissed.

L Reid

INSPECTOR