



Appeal Decision

Site visit made on 04 December 2024

by Nicola Davies BA DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 December 2024

Appeal Ref: APP/G5180/D/24/3352859

9 The Meadow, Chislehurst, Bromley BR7 6AA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr and Mrs A & K Spokes against the decision of the London Borough of Bromley.
 - The application Ref is DC/24/00562/FULL6.
 - The development proposed is side and rear extensions with additional accommodation within modified roof and elevation changes.
-

Decision

1. The appeal is allowed and planning permission is granted for side and rear extensions with additional accommodation within modified roof and elevation changes at 9 The Meadow, Chislehurst, Bromley BR7 6AA in accordance with the terms of the application, Ref DC/24/00562/FULL6, subject to the following conditions: -
 - 1) The development hereby permitted shall begin no 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: - TM-993-PD-03 Revision A, TM-993-PD-04 Revision A and TM-993-PD-05 Revision A.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
 - 4) Before the development hereby permitted is first occupied the proposed window(s) in the first-floor north flank elevation shall be obscure glazed to a minimum of Pilkington privacy Level 3 and shall be non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed and the window(s) shall subsequently be permanently retained as such.
 - 5) No windows or doors (other than those shown on the plans hereby approved) shall at any time be inserted in the development hereby permitted.

Preliminary Matters

2. I have taken the description of the proposed development from the planning application form although it is expressed differently in other documents.
3. A revised version of the National Planning Policy Framework (the Framework) has been published since the planning application was determined by the Council. I have had regard to the revised Framework in reaching my decision.

Main Issues

4. The main issues raised by this appeal are the effect of the proposed development on the character and appearance of the area and whether it would preserve or enhance the character or appearance of the Chislehurst Conservation Area (the CA).

Reasons

5. The proposal falls within a CA. CA designations recognise architectural characteristics or historic values of an area that make such areas special and worthy of CA status. The property has significance as one of the large properties which forms part of the characteristic of the development in this CA.
6. Policy 41 of the Bromley Local Plan states that proposals for development in CAs should preserve and enhance its characteristics and appearance by respecting or complementing the layout, scale, form and materials of existing buildings and spaces.
7. The proposal would increase the width of the property. However, this area is characterised by large dwellings. The extended dwelling would be of a similar size to that of other dwellings in the locality. The existing ridge height would be maintained and the materials would appear in keeping with surrounding existing development. Furthermore, the extended dwelling would retain space at either side of the property in excess of the 1m minimal requirement as set out within Policy 8 of the Bromley Local Plan.
8. Consequently, I find, that the proposed development would complement the host property and would not appear out of character with surrounding development in the area. Given this, the proposal development would not cause harm to the CA or its significance.
9. For these reasons, I conclude that the proposed development would not harm the character and appearance of the area and it would preserve or enhance the character or appearance of the Chislehurst CA. As such, the proposed development would comply with Policy HC1 of the London Plan 2021 and Policies 6, 8, 37 and 41 of the Bromley Local Plan 2019. These policies seek, amongst other matters, development, including residential extensions, to be of a high-quality design that respect the scale and form of the host dwelling and are compatible with surrounding development. Proposals for development in CAs are required to preserve and enhance its characteristics and appearance.

Other Matters

10. The appeal dwelling sits slightly further forwards in its plot than neighbouring property No.11 The Meadow. The proposed first floor side extension would be

located over the existing integral garage and be of a depth that would match that of the existing property. Although there is a change in land levels the proposal would maintain side space to the northern flank boundary in excess of the minimum requirements of Policy 8. The Council's committee report includes a 'sunlight plan' that illustrates some overshadowing of the grounds of No.11 during the afternoon, however the overshadowing would be limited in its extent. Furthermore, whilst three windows are shown within the first-floor flank elevation these would serve two en-suite bathrooms and a walk-in wardrobe and can be obscure glazed.

11. The proposed two storey side extension would project approximately 4m from the southern flank elevation. The proposal would maintain a side space to the flank boundary shared with the neighbour at No.7 The Meadow in excess of the minimum requirements of Policy 8.
12. At the rear, the proposed single storey element would have a depth of approximately 3.3m beyond the rear elevation. This is a modest addition to the dwelling and, being single storey, limits the impacts upon the living conditions of existing neighbouring occupiers. The main roof would be hipped and there would be no increase in the height of the eaves or the ridge.
13. The proposal would result in an increase in width and bulk of the existing dwelling. I acknowledge that the development would be visible in the outlook of existing neighbouring occupiers either side. However, given the separation between properties and the existing boundaries, I do not find that the development would result in harm to the living conditions of existing neighbouring occupiers, having particular regard to loss of light, outlook, privacy, noise and disturbance.
14. A roof light style window is proposed in the front roof slope. By design this window would direct outlook skyward and would not direct observation toward the properties on the opposite side of The Meadow.
15. Concern has been raised to potential light pollution from security lights. However, this is a residential area. From the information before me there is no clear indication that would lead me to consider any lighting installed would not be appropriate within this residential area.
16. An interested party has asked for a construction management plan to be provided that includes a swept path analysis as The Meadow is a narrow road lined by grass verges which serve footways. However, this is an existing highway and I note that no technical objection has been raised to the proposal by the Council's highway adviser in respect of highway matters. I do not find that the imposition of such a condition would be justified in this case.

Conditions

17. I have considered the planning conditions put forward by the Council in light of paragraph 57 of the Framework and the Planning Practice Guidance. In addition to the standard time limit condition and in the interests of certainty it is appropriate that there is a condition requiring the development be carried out in accordance with the approved plans. In the visual interests of the locality matching materials of the extension is necessary.

18. In the interest of protecting the living conditions of existing adjoining occupiers obscure glazing of specific windows and restricting the insertion of any new windows and doors conditions are necessary.

Conclusion

19. For the reasons set out above, and subject to the conditions listed, this appeal should be allowed.

Nicola Davies

INSPECTOR