



Appeal Decision

Site visit made on 14 May 2025

by **Philip Willmer BSc Dip Arch RIBA**

an Inspector appointed by the Secretary of State

Decision date: 10 June 2025

Appeal Ref: APP/G5180/D/24/3349962

17 Logs Hill, Chislehurst, Bromley, BR7 5LN.

- 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 Ms Nicola Willy Harrison against the decision of the Council for the London Borough of Bromley.
 - The application Ref is DC/23/02704/FULL6.
 - The development proposed is the conversion of the existing garage to lower ground floor to habitable space with addition of light well and sunken patio to front garden with steps and boundary treatment - retrospective.
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Decision

1. The appeal is allowed and planning permission is granted for the conversion of the existing garage to lower ground floor to habitable space with addition of light well and sunken patio to front garden with steps and boundary treatment-retrospective at 17 Logs Hill, Chislehurst, Bromley, BR7 5LN in accordance with the terms of the application, Ref DC/23/02704/FULL6, subject to the following conditions:
 - 1) The development hereby permitted shall be carried out in accordance with the following approved plans, drawings: K213100-01, Block Plan TQRQM23257179 scale 1:500, Lower Ground Floor Existing, Lower Ground Floor Proposed, West View, East View, South View, North View, Existing and Proposed Elevations facing rear garden, Block Plan, Section through ground and finished levels, Section through steps in sunken garden, Proposed retaining walls and External ground plan.
 - 2) Within 3 months of the date of this decision a scheme for external lighting shall have been submitted for the written approval of the local planning authority and the scheme shall include a timetable for its implementation, the siting of light fittings, their design and specification, orientation and screening of the lights together with any surface cabling or conduits. Upon implementation of the approved lighting scheme specified in this condition, it shall thereafter be maintained in an efficient working order and no further lighting shall be installed without the prior approval in writing of the local planning authority.

Procedural Matters

2. In the bullet point above I have adopted the description of development set out on the Council's decision notice as this more succinctly describes the development.

Main Issue

3. I consider the main issue to be the effect of the proposed development on the architectural integrity of the dwelling, the terrace of which it is part and thereby the character and appearance of the area.

Reasons

4. The appeal property, 17 Logs Hill (No17) is the central property in a terrace of 5 contemporary town houses detailed in a Regency style. The rear of the houses in the terrace face on to the common drive from which access is taken for the integral garages, parking and back doors at lower ground floor level.
5. The front of the houses faces a large communal garden over which pedestrian access is taken to the small private front gardens and in turn the front doors of the houses. Due to the fall of the land this is at upper ground floor level. The boundary of the small front gardens to the communal path are either formed by a low picket fences or hedges.
6. The appellant proposes a sunken patio area in front of the rear wall of the former garage with new French door access. A further small lightwell is also proposed in front of a new window in the rear wall of the lower ground floor. The large light well and retained front garden would all be paved. The common boundaries to the front gardens of the adjoining houses and the communal garden would be masonry clad walls to match the paving. The French doors and window would be of a small pane design to match the window design styling of the upper floors.
7. Together with the external alterations the appellant also proposes alterations to the garage and storeroom to form two additional bedrooms at lower ground floor level. One served by the proposed French doors and the other by the proposed window.
8. Policies 6 and 37 of the London Borough of Bromley Local Development Framework Local Plan (Adopted January 2019) (LP) along with the Council's Supplementary Design Guidance (SPG) seek to ensure that new development, including residential extensions are of a high quality design and that they respect the scale and form of the host dwelling and are compatible with surrounding development.
9. The formation of both the sunken patio and small light well would result in a significant excavation. This together with the new windows, extensive paving and clad side and front boundary walls would be a significant alteration to the established appearance of the front garden. The formality of the proposed design while reflecting the appearance of the host property and the terrace as a whole would contrast with the developments semi-rural setting. However, these elements of the proposal would be contained within the front garden of the property and therefore not open to wider public view, beyond those using the communal garden and access path.

10. The retained picket fences and hedges to the property boundaries to the community land reflect its semi-rural character of the location, but not the formal Regency styling of the front of the houses themselves. Whereas the stone-faced walls of the proposed boundary wall along with its pillars and simple metal gate would again be more reflective of the Regency design style of the terrace as a whole. Further, No17 is the central dwelling in the terrace and therefore the change in the boundary detailing and its adjusted line in themselves serve again to reflect the architectural styling of the host property and the terrace.
11. On balance, while I appreciate the Council's concern about the design and finish of the boundary wall I am not persuaded that it would have such a significant harmful impact on the character and appearance of the surrounding area.
12. I conclude in respect of the main issue that the proposed development would not cause harm to the architectural integrity of the host property, the terrace of which it is part or the character or appearance of the surrounding area. To allow it would therefore accord with the objectives of LP Policies 6 and 37 and SPG as they relate to quality of design and the need to be compatible with surrounding development.

Other Matters

13. I note from the evidence before me that there may be a private restrict covenant in place in relation to the development proposed. Such covenants are distinct from planning legislation and the grant of planning permission does not remove private law rights.

Conditions

14. I have, in the interests of both precision and enforceability, considered the conditions suggested by the Council in light of the advice in the Framework and the Planning Practice Guidance.
15. As the development is already well advanced and the materials used in the construction of the external surfaces are in place I do not consider that either a commencement or materials condition is appropriate. However, in the interests of certainty, I shall impose a condition requiring the development to be undertaken in accordance with the approved plans.
16. In addition to avoid harm to residential amenity or adverse impact on the wider area I shall require, in accordance with the requirements of LP Policy 122 a condition to control external lighting.

Conclusions

17. For the reasons given above and having regard to all other matters raised, I conclude that the appeal should be allowed.

Philip Willmer

INSPECTOR