
Appeal Decision

Site visit made on 11 September 2019

by A M Nilsson BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 1st October 2019

Appeal Ref: APP/G5180/W/19/3231905

2 Church Road, Farnborough, Orpington BR6 7DB

- 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 R de Pascalis against the decision of the Council of the London Borough of Bromley.
 - The application Ref DC/19/01701/FULL1, dated 10 April 2019, was refused by notice dated 6 June 2019.
 - The development proposed is erection of second floor roof extension and conversion of existing first floor to provide 2no. apartments and associated works including car parking, refuse and cycle storage.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The Council's second reason for refusal refers to policies of the Draft Local Plan. The Local Plan was adopted by the Council on 16 January 2019. At the time of the decision, and the time of this appeal, the Local Plan is adopted. Accordingly, the Local Plan now carries full weight.

Main Issues

3. The main issues are the effect of the proposed development on 1) the character and appearance of the area with particular regard to the location of the site in the Farnborough Village Conservation Area, and 2) highway safety with regard to parking.

Reasons

Character and appearance

4. The appeal site comprises a two-storey detached building located on Church Road adjacent to the junction with High Street, where it occupies a prominent corner position. The building has a mono-pitch roof with one of the gable ends forming part of the front elevation that looks onto the street. The site is located in the Farnborough Village Conservation Area (the Conservation Area) which is centred around High Street and Church Road and is primarily made up of commercial properties with some residential properties. The appeal property looks out onto a triangular piece of open space containing trees, planting and a seating area. This area, due to its central location and position where High

Street turns to meet with Church Road, is a focal point of the Conservation Area and positively contributes to its character and appearance.

5. The appeal property is currently mixed use with a photographer's studio on part of the ground floor and a residential unit above. The rest of the building is used as storage. The property also has an existing garage that is accessed from the side of the property.
6. The proposal would create an additional floor in the building by raising the existing roof. The proposed roof would incorporate a half-hip on the front elevation and the wall of the south-east (side) elevation would, for almost three-quarters of its length, break through the proposed eaves level, creating a flat roofed side section. The space created would accommodate a residential unit, with another residential unit being created in the existing first floor. The proposal would therefore create two additional residential units. The ground floor is proposed to be altered to provide an additional garage.
7. The appeal site sits comfortably between two existing two storey buildings. Although there is a variation in roof heights in the area, I find that the proposal to increase the height of the building would result in it appearing incongruous in the street-scene and would dominant views on this prominent corner site, particularly when approaching the site from east along High Street.
8. The proposed flat-roofed section of the development would unbalance the building and appear out of character with both the host building and the surrounding area. Due to the overall increase in the height of the building, the flat roofed section would be clearly visible from a number of vantage points.
9. The appellant suggests that the proposal would retain the existing form and appearance of the existing building and thus have a neutral impact, and not cause harm to the Conservation Area. I do not agree. The proposal would upset the clear harmony that exists amongst the buildings in the street-scene. The flat-roofed alteration would disrupt the symmetry that currently exists in the host building, a characteristic of a number of buildings in the surrounding area.
10. Having regard to paragraph 196 of the National Planning Policy Framework (the Framework) I find that the harm to the Conservation Area is relatively localised and therefore the proposal would cause less than substantial harm to the significance of the Conservation Area. I do not, however, find that this harm is outweighed by any public benefits of the proposal. The appellant suggests that even if there less than substantial harm the benefits in terms of housing provision would outweigh any harm. Whilst the proposal is for two dwellings, it has been stated that an extant consent exists for one dwelling to be created at the property. Taking this extant consent into account, the appeal proposal would effectively result in one additional dwelling. I find that the increase in housing numbers would be minimal in terms of meeting overall housing demand and would not outweigh the harm I have identified.
11. The appellant has referred to an appeal where the Inspector gave weight to housing proposed in a Conservation Area. I do not have full details of this case. In that appeal however, the Inspector concluded that the development would at least preserve, if not enhance, the character and appearance of the Conservation Area. The balancing exercise was therefore not necessary. In any event, that appeal was for an additional 9 units at a different location. I have also determined this appeal on its own individual merits.

12. I therefore conclude that the proposal would cause harm to the character and appearance of the property and the Conservation Area. The proposal would be contrary to Policies 4, 37 and 41 of the London Borough of Bromley Local Plan (2019) which seek, amongst other things; high standards of design in development which positively contributes to the existing street scene respecting important views, heritage assets and landmarks, and respect for non-designated heritage assets; and that new development preserves and enhances the characteristics and appearance of conservation areas.
13. The proposal would also be contrary to Policies 30 and 32 of the London Plan (2016) which seek, amongst other things, that buildings should provide a high-quality design and be of the highest architectural quality.
14. In the first reason for refusal, the Council have considered the proposal to be contrary to Policy 3 of the Local Plan. This policy is not referred to in the Council's Statement. This policy relates to back land and garden land development. I do not find it to be relevant to the appeal proposal.

Highway safety

15. The appeal site is located in an area with existing, unrestricted on-street parking. There are double yellow lines on sections of High Street and Church Road that would prevent parking. On my site I observed vehicles parked on-street, however these did not appear to create conditions that were detrimental to highway safety. At the time of my visit, I also observed that there was capacity to park on-street.
16. Two garages are proposed to be allocated for parking for the proposed two residential units. The Council consider that the proposal would give rise to potentially unacceptable highway safety impacts by virtue of insufficient and substandard layout of parking bays and manoeuvring space with no information to demonstrate otherwise.
17. The appellant has submitted a swept path analysis of the proposed parking arrangement. The Council consider that this shows the manoeuvring to be tight and may discourage drivers from attempting it. The swept path analysis is for a large car. It demonstrates that the parking spaces identified can be accessed and exited. I consider that the appellant has submitted sufficient information to show that the spaces can be used. In the event that people were deterred from using the spaces, I consider that the resulting impacts of any on-street parking would not cause demonstrable harm to highway safety.
18. I therefore conclude that the provision of two parking spaces for the two residential units that are proposed would not cause demonstrable harm to highway safety. The proposal would comply with Policies 30 and 32 of the London Borough of Bromley Local Plan (2019), which seek to ensure, that for a development of this size, a minimum of 2 parking spaces should normally be provided, and that the potential impact of any development on road safety is not significantly adversely affected.

Other Matters

19. The appellant argues that the Council cannot demonstrate a five-year supply of deliverable housing sites and as such significant weight which should be given to small scale housing schemes including in a Conservation Area. I have found the proposal does not accord with the development plan as a whole. I do not

consider that the lack of a five-year housing land supply would outweigh the harm I have identified would be caused to the Conservation Area.

Conclusion

20. On the matter of character and appearance, I have found that the proposed development would cause unacceptable harm to the character and appearance of the area. On the matter of highway safety with regard to parking, I have found that the development would not cause demonstrable harm to highway safety.
21. For the reasons given above, and having had regard to all other matters raised, I therefore conclude that the appeal should be dismissed.

A M Nilsson

INSPECTOR