



Appeal Decision

Site Visit made on 27 October 2021

by M Russell BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18/11/2021

Appeal Ref: APP/G5180/W/21/3274126

Rear of 1 Melbourne Close, Orpington BR6 0BJ

- 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 Omer Mehmet against the decision of London Borough of Bromley.
 - The application Ref DC/21/00295/FULL1, dated 14 January 2021, was refused by notice dated 28 April 2021.
 - The development proposed is erection of a pair of 3-bedroomed semi-detached houses.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. In the period since the appeal was submitted the Government has published the revised National Planning Policy Framework July 2021 (the Framework) which is being brought into immediate effect for the purposes of decision-making. The Council has referred to the Framework within its statement of case and the appellant has had an opportunity to respond within their final comments. I have had regard to the revised national policy as a material consideration in my decision-making.
3. As part of their appeal submission, the appellant has provided computer graphic images (CGI) of the proposal and of a previously approved dwelling on the site. I have considered the appeal on the basis of the detailed drawings that were before the Council when it made its decision. However, I have taken the CGI into account on the basis that they are provided for indicative purposes only.

Main Issue

4. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

5. No 1 Melbourne Close is a two-storey dwelling located within the Knoll Area of Special Residential Character (ASRC). Properties within the ASRC mainly comprise of detached dwellings more often with spacious rear gardens. At the time of my site visit, the rear garden at No 1 had been subdivided. The rear portion of this garden land comprises the appeal site and has a boundary with Bicknor Road.

6. Bicknor Road is located outside the ASRC and is characterised by a mix of dwelling types which are generally more closely grouped and set within smaller plots than the dwellings in the ASRC. Even so, wide grass verges frequently border this road. The nearest dwellings, on the same side of Bicknor Road as the appeal site, are set back from the road and orientated to face the street. This gives order and consistency to the street scene and complements the spacious residential character of the appeal site's immediate surroundings.
7. My attention has been drawn to a previously allowed appeal¹ on the site. In that case, the development comprised of a single dwelling. Its L-shaped footprint was angled meaning that its principal elevations would front onto Bicknor Road. This layout also afforded a spacious arrangement within the plot. Indeed, the Inspector in that instance commented that the plot size would allow for the house and garage to be comfortably accommodated with a spacious rear garden such that the development would not appear cramped and would be in keeping with the surrounding area.
8. In contrast, the rectangular footprint of the proposed semi-detached dwellings would afford a less spacious arrangement given the relative alignment and position of built form to the side boundaries of the site. The principal elevations of the dwellings would face towards the side elevation of No 37 Bicknor Road rather than the street. Furthermore, the modest proportions of the rear gardens would be in stark contrast to the spacious rear gardens which border the site. Consequently, the layout of the development would have an awkward relationship with the Bicknor Road street scene and would appear cramped within the context of the immediate spacious surroundings.
9. The appellant contends that the gardens would be larger than minimum standards and larger than gardens serving the dwellings to the rear of Nos 3 and 4 Melbourne Close. Whether or not this is the case, I must have regard to the overall design and layout of the proposal and its site-specific surroundings. Furthermore, the examples given relate to dwellings orientated to front Bicknor Road. Therefore, they do not persuade me that the appeal proposal would positively respond to its surroundings.
10. I conclude, the development would result in significant harm to the character and appearance of the area. In that regard it would conflict with the high standard of design and local character requirements in Policies 4 (Housing Design) and 37 (General Design of Development) of the London Borough of Bromley Local Plan (2019).

Planning Balance and Conclusion

12. The Council acknowledges that it cannot currently demonstrate a five-year housing land supply. Paragraph 11d of the Framework and the presumption in favour of sustainable development is engaged and permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies of the Framework as a whole.
13. In the context of the Government objective to significantly boost the delivery of housing, two dwellings would make a modest but important contribution towards the provision of housing in the area and add to the mix of property

¹ APP/G5180/W/18/3195106

types in the road. I also attach positive weight to the site's accessible location within close range to services and facilities as well as the potential for some modest economic benefits through the construction works and the expenditure in the area by future occupants.

14. However, the proposal would result in significant harm to the character and appearance of the area. In this respect the development would conflict with the development plan and national policy. This is a matter which significantly and demonstrably outweighs the modest benefits of the proposal when assessed against the policies of the Framework as a whole.
15. For the above reasons the appeal is dismissed.

M Russell

INSPECTOR