



Appeal Decision

Site visit made on 12 January 2022

by Rory MacLeod BA (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 February 2022

Appeal Ref: APP/G5180/W/21/3276824

39 Thornsett Road, Penge, London SE20 7XB

- 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 Terry Delahunty against the decision of London Borough of Bromley.
 - The application Ref DC/21/01551/FULL1, dated 29 March 2021, was refused by notice dated 24 May 2021.
 - The development proposed is construction of a new dormer window and an attached 2 storey 2 bedroom maisonette.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. Planning permission has previously been refused at the site for a similar development including front dormers and an alternative parking space.

Main Issue

3. The main issue is the effect of the maisonette extension on the character and appearance of the area by reason of its size, siting and design.

Reasons

4. The appeal relates to a large semi-detached house with a recessed side projection, a form of housing prevalent to both sides to Thornsett Road. These recessed side projections appear subservient in relation to their limited width, lower eaves, reduced height and shallow hipped pitched roof alongside a gable end to the main part of the dwelling. Some recessed projections have been altered but Thornsett Road retains a strong sense of rhythm to the form of its buildings and spaces in-between.
5. The proposed maisonette would be within a side extension added on to the side projection. Whilst its hipped roof form and fenestration would be broadly sympathetic to the design of the host dwelling, it would result in additional width and mass that would unbalance the appearance of the pair of semi-detached houses, and which would be uncharacteristic of the road. Repetition of the relatively shallow set back from the frontage would add to the prominence of this addition in relation to the generally more subservient side projections elsewhere in the road. The proposed communal garden areas and absence of boundary enclosures would mask the extension's identity as a separate dwelling, but over time boundary enclosures are likely to be introduced and would accentuate the resultant uncharacteristic terracing effect.

6. The appeal site is a corner plot and forms a splayed crossroads with Marlow Road and Marlow Close. Whereas dwellings on the other three corners face Marlow Road, no.39 presents a flank wall to Marlow Road. Its character relates more closely to the large building size and generous curtilages to houses in Thornsett Road than to the houses on the other corner plots which tend to be smaller with flank walls closer to the return roads.
7. There is a relatively spacious side garden to the appeal site with a distance of about 7m between the flank wall to the side projection and the footway to Marlow Road. Nonetheless, the flank wall respects a building line set by 124 and 126 Marlow Road to the south-west and four narrow terraced houses built in former back garden land to nos. 37 and 39 Thornsett Road. The siting of the proposed maisonette would be substantially forward of this line. It would result in an unduly prominent development that would detract from the present openness of the corner.
8. The residential character of the surrounding area is mixed and includes several narrower terraced houses. The character of other corner plots and crossroads nearby tend to demonstrate a tighter urban grain, both as originally built and as a result of subsequent permissions. I have noted the developments at 122 Marlow Road on the corner with Stembridge Road, at 124 Marlow Road opposite the appeal site and at 105-107a Marlow Road adjacent to Marlow Close. Thornsett Road has a different character to these with much wider plots and dwellings set back from the footway within more generous gardens. The proposed 2-storey extension on this open corner site would undermine the established character of Thornsett Road and protrude in front of present lines to buildings facing Marlow Road.
9. The development would thereby conflict with Policies 4, 8 and 37 of the Bromley Local Plan (2019) which require the design of new housing to respect local character, including retention of a more generous side space in relation to a site's context, and to complement the scale, proportion, form and layout of adjacent buildings and areas. The proposal would not be compatible with Policy D3 of the London Plan (2021) which requires a design-led approach to determine the most appropriate form of development that responds to a site's context and capacity for growth.
10. These design considerations need to be examined alongside the need for additional housing. The proposal would have the benefit of providing one additional home of satisfactory size and layout within a sustainable location.
11. Paragraph 60 of the National Planning Policy Framework (the Framework) refers to the Government's objective to significantly boost the supply of homes. Paragraph 69 points out that small and medium sized sites, such as the appeal site, can make an important contribution to meeting the housing requirements of an area and can be built out relatively quickly. This is reflected in Policy H2 of the London Plan which emphasises the importance of small sites in meeting London's housing needs. The policy also recognises "*that local character evolves over time and will need to change in appropriate locations to accommodate additional housing on small sites*".
12. The London Plan has increased the annual housing supply target for Bromley from 641 to 774 units. The Council has a poor track record on housing delivery. It cannot currently demonstrate a five year supply of housing land. There remains an under supply of about 1.01 years (3.31 years increased to 3.99

years supply) according to the Council's latest calculations. The presumption in favour of sustainable development set out at Paragraph 11(d) of the Framework still applies in these circumstances.

13. The appeal proposal would provide a fuller, more intense use of the land. Paragraph 119 of the Framework states that planning decisions should promote an effective use of land in meeting the need for homes and other uses. But the Paragraph balances this in the requirement "*while safeguarding and improving the environment and ensuring safe and healthy living conditions*". I have identified harm and conflict with the development plan in relation to the proposal's size, siting and design.
14. In my judgement, the adverse impacts from granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies of the Framework taken as a whole. The benefits would be for just one dwelling and would make only a modest contribution in addressing the Council's overall housing need. Notwithstanding the emphasis on the contribution of small sites in meeting housing need in the London Plan and the recognition that local character can evolve over time, the proposal would have a significant adverse impact on the established character of Thornsett Road and on the appearance of this prominent open corner site.

Conclusion

15. For the reasons given above I conclude that the appeal should be dismissed.

Rory MacLeod

INSPECTOR