



Appeal Decision

Site visit made on 4 October 2022

by Peter White BA(Hons) MA DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 02 NOVEMBER 2022

Appeal Ref: APP/G5180/W/22/3291684

15 Forest Drive, Keston BR2 6EE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Mr Carl Hazledine against London Borough of Bromley Council.
 - The application Ref DC/21/04116/FULL6, is dated 16 August 2021.
 - The development proposed is described in the application form as single storey front porch extension, 2 storey rear extension and elevational alterations.
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Decision

1. The appeal is allowed and planning permission is granted for single storey front porch extension, garage extension and 2 storey rear extension with Juliet balcony roof light to the side and elevational alterations at 15 Forest Drive, Keston BR2 6EE in accordance with the terms of the application, Ref DC/21/04116/FULL6, dated 16 August 2021, subject to the following conditions:
 1. The development hereby permitted shall begin not 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: location plan ref TQRQM21227153458964; block plan ref TQRQM21227153620088; 15/FD/01A; 15/FD/02A; 15/FD/03A; and 15/FD/04A.
 3. Prior to the commencement of the development hereby approved (including demolition and all preparatory work), a Tree Protection Plan shall be submitted to the Local Planning Authority (LPA) for approval. Once approved, measures shall be installed in accordance with the approved tree protection plan and photographic evidence sent to the Local Planning Authority (trees@bromley.gov.uk) for approval. Such measures shall not be moved or removed but shall be retained in situ until completion of the development and all materials and machinery have been removed from the site, unless otherwise agreed in writing by the LPA.
 4. Prior to commencement of above ground works, details of the materials to be used for the external surfaces of the building which shall include roof cladding, wall facing materials and cladding, doors, and window frames shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Preliminary Matters

2. In my decision I have taken the description of development from the appeal form, as it describes the development more clearly, and I have determined the appeal accordingly.

Context and Main Issue

3. The appeal was made prior to the Council's determination of the application. In its appeal statement, the Council states that it would have refused planning permission. However, it also states it has no objection to the proposed two-storey rear extension, the proposed ground floor front extension, and the proposed rooflight on the side of the roofslope. The Council's objections relate solely to the front porch extension.
4. Therefore, the main issue is the effect of the development on the character and appearance of the Keston Park Conservation Area (KPCA), with particular regard to the proposed front porch extension.

Reasons

5. The appeal site is a detached dormer bungalow located within the Keston Park private estate, within the KPCA. The building has a tiled roof, half hipped gable with tile hanging, and hipped dormers, with a brick ground floor. Its existing porch is an open-sided flat roofed canopy with timber supports and dwarf walls.
6. I am required to have special regard to the desirability of preserving or enhancing the character or appearance of conservation areas under section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. The National Planning Policy Framework (the Framework) also requires me to give great weight to the KPCA's conservation, and any harm to the significance of a designated heritage asset requires clear and convincing justification.
7. The main interest of Keston Park Conservation Area lies in its historical connection with the Holwood House Estate, and in the innovative way that the Rogers family incorporated the landscape from Holwood Park into a high quality built development, allowing scope for the construction of large and individualistic private homes in a manner typical of American suburban development.
8. The proposed porch would replace an existing one of a similar footprint. It would be constructed of bricks and tiles matching the dwelling and would take design cues from the dormers and half hip of the main roof. Although the proposed porch may add an element of complexity to the façade, it would be a small element of the dwelling as a whole and would not materially detract from the building's character. Consequently, it would not be a significant feature in the street scene and would not harm the significance of the KPCA or its character or appearance.
9. Following my site visit, I also see no reason to disagree with the Council in that the proposed front and rear extensions and rooflight would preserve the character and appearance of the KPCA.
10. Therefore, overall, I conclude that the proposed development, with particular regard to the proposed front porch extension, would preserve the character and appearance of the KPCA. It would accord with London Borough of Bromley

Local Plan 2019 Policies 6, 37 and 41, which together relate to respectful and complimentary design, scale, form and materials, and development in conservation areas. It would also accord with the guidance in Supplementary Planning Guidance 1 – General Design Principles (2004) and Supplementary Planning Guidance 2 – Residential Design Guidance (2004), which provide guidance on design and form. The Council have also referred to London Plan Policies which are relevant to this development only in as much as they seek to achieve good design.

Conditions

11. The Council has provided a list of suggested conditions, including pre-commencement conditions, and the appellant has had the opportunity to comment on them. I have had regard to the approach in the Framework and the Planning Practice Guidance and I have amended the phrasing of certain conditions proposed accordingly, without altering their fundamental aim.
12. I have set out the standard time limit for implementation, and the approved plans for certainty. Details of the materials to be used in the construction of the external surfaces of the development are necessary to ensure the preservation of the character and appearance of the KPCA.
13. A Tree Protection Plan is necessary prior to commencement to protect the landscape character of the KPCA and, having considered this matter further, I have applied the general approach suggested by the Council.

Conclusion

14. For the reasons above, I conclude the development would accord with the development plan as a whole and the approach in the Framework. There are no other material considerations that suggest a decision other than in accordance with the development plan would be appropriate, and the appeal should therefore be allowed.

Peter White

INSPECTOR