

Appeal Decision

Site visit made on 7 December 2022

by C J Leigh BSc(Hons) MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30th December 2022

Appeal Ref: APP/G5180/D/22/3306692

Pippins, Sunnydale, Bromley, Orpington, BR6 8LZ

- 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 Steve Butcher against the decision of the Council of the London Borough of Bromley.
 - The application Ref DC/22/01347/FULL6, dated 29 March 2022, was refused by notice dated 22 July 2022.
 - The development proposed is a two storey side and rear extensions with rear dormers and relocation of open-air swimming pool.
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Decision

1. The appeal is dismissed.

Main issues

2. The main issues are the effect of the proposed development on:
 - a) the character and appearance of the Farnborough Park Conservation Area,
 - b) the living conditions of adjoining occupiers, with particular regard to privacy and outlook.

Reasons

a) Effect on character and appearance

3. The appeal site lies within the Farnborough Park Conservation Area, where I have a duty under s72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of the Area.
4. The Council's Farnborough Park Conservation Area Supplementary Planning Guidance (SPG) 1999 describes how this residential Estate was developed in the inter-War period based on the principles of low density, with the pre-existing landscape of the area maintained. Detached houses were developed by individual purchasers using the design of their own architects, with controls over the laying out of plots and roads, with regulations regarding position, size and appearance of houses. This control continued throughout the development of the Estate with the result that, as I saw at my site visit, whilst there is variety in individual houses, the commonality of houses set on mature

landscaped plots in a low density pattern along the estate roads leads to the significance of the Area as a heritage asset.

5. Pippins is a large house set well-back from the road on a corner plot in a well-landscaped setting. The pleasant appearance of the house as a mature, early 20th Century property contributes to the Area by virtue of the general scale, form and use of materials. The proposed works would see the property extended to the side and rear, and elevational changes at the front. These alterations pay regard to the design and character of the main house, with the side extensions continuing the low eaves of the building where the characteristic steeply-pitched roof of the house would continue to be a dominant element. The balanced appearance to the design – in broadly continuing the architectural approach of the house – would also be apparent in views from the side, where from Hazel Grove the rear projection would present a side elevation that is similarly of traditional form, dominated by the pitched roof. Thus, whilst the house would be notably larger, it would remain balanced in appearance and sitting comfortably within the large, landscaped plot.
6. The design to the extensions is notably different in the rear elevation, where the architect has taken an obviously modern approach. The rear elevation would have limited visibility from public views, due to the orientation of the house on the plot and the screening effect of the proposed side wing. However, as noted earlier, the SPG explains that the Farnborough Park Conservation Area was conceived on the basis that houses would be developed by individuals following the design of their own architects, within the wider constraints of the Estate. Allowing more freedom in the architectural approach for works to buildings is therefore within this spirit of the original concept for the Estate, which I saw in evidence at my site visit. In this instance, I consider the design approach at Pippins would be acceptable: there is extensive use of glazing in the rear elevation, but the design has regard to the established form of the house of gables and pitched roof.
7. It is my conclusion on the first issue that the scale, form and design of the proposed extensions to the property would be in keeping with the host property and the wider area. My findings on this matter are supported by observations at the site visit, where I saw a number of obviously recent developments in the vicinity of the appeal site along Sunnysdale, Hazel Grove and Birch Mead, with houses of different designs to their elevations and roofs, and of notable depths in their plots. Hence, the proposals would not lead to any harm to the significance of the heritage asset. The development would be consistent with Policies 6, 8 and 37 of the Bromley Local Plan 2019, insofar as they seek to ensure a high standard of design in new development that respects the character of the area. It would also be consistent with Policy 41 of the Local Plan that require development in conservation areas to preserve or enhance the character and appearance of such areas, and the guidance in the SPG.

b) Effect on living conditions

8. The proposals would see the house extended rearward to approximately the same rear siting as the adjoining property of Harlaxton to the west, and kept 2m from that boundary at first floor level. However, Pippins and its neighbour are not positioned on the same building line: as Pippins turns the corner to Hazel Grove it is orientated towards the rear garden of Harlaxton. The current

- rearward extent of Pippins, and the position and configuration of windows, means this orientation is acceptable in relation to any impact on Harlaxton.
9. The proposals would bring the new two storey gable end with large windows serving habitable rooms in close proximity to the boundary with Harlaxton. The direction of view from first floor windows would be clearly towards the garden of the neighbour. From my observations at the site visit I consider this close siting and orientation of the gable extension and a large glazed window at first floor would give rise to a loss of privacy, and be overbearing to the neighbour.
 10. I note that new planting is shown on this boundary to provide privacy. This would be very close to the ground and first floor windows of the extended house and lie to the south of the property. I am not reassured as to the realistic long-term retention due to future pressure to remove what would be an obscuring feature for occupants very close to the house. In any event, reliance on new planting to provide a privacy screen at such close quarters between properties is not a good substitute for design that avoids material loss of privacy.
 11. Whilst the Council did not raise the harm to living conditions as a reason for refusal this was an issue raised by third parties, and I paid careful attention to the matter at my site visit. My conclusion on the second main issue is that the proposal would be harmful to living conditions, and hence conflict with Policy 37 of the Local Plan insofar as it requires all developments to respect the amenity of occupiers of neighbouring buildings.

Conclusion

12. Although I have found no harm arising on the first main issue, the harm arising on the second issue and consequential conflict with the development plan is sufficient to outweigh other considerations. When the matter is therefore considered as a whole, I conclude the appeal should be dismissed.

C J Leigh

INSPECTOR