



Appeal Decision

Site visit made on 15 December 2022

by M Russell BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 02 February 2023

Appeal Ref: APP/G5180/D/22/3305308

7 Meadow Way, Orpington BR6 8LN

- 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 Henry Medley against the decision of London Borough of Bromley.
 - The application Ref DC/22/00612/FULL6, dated 10 February 2022, was refused by notice dated 20 July 2022.
 - The development proposed is described as 'Extend and develop existing dwelling maintaining throughout maintaining front priority building line and both flank walls adjacent to No.5 and No.9 respectively'.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The Council's decision notice refers to the proposal as 'Two storey rear extension and loft conversion to include rooflights and elevational alterations'. I have based my assessment on this clearer and more concise description together with the details of the proposal shown on the plans before me.

Main Issues

3. The main issues are:
 - (i) whether the proposal would preserve or enhance the character or appearance of the Farnborough Park Conservation Area (CA); and
 - (ii) the effect of the proposal on the living conditions of occupiers of No 9 Meadow Way with particular regard to outlook.

Reasons

Farnborough Park Conservation Area

4. The Supplementary Planning Guidance for Farnborough Park Conservation Area (Undated) (CA SPG) confirms that the 'chief interest' lies in the innovative way the pre-existing landscape was incorporated into a high-quality built development, allowing scope for the construction of large individualistic private homes. Meadow Way is consistent with these characteristics and consists of mainly large detached dwellings, set within substantial plots, often with mature landscaped gardens.
5. While individual in design, the dwellings on Meadow Way are mainly of a traditional character and appearance and the prevailing roof forms are hipped.

Where gabled roof forms exist, they are more often a subservient element of the overall roofscape as is the case with the front projecting gables at No 7 Meadow Way. This dwelling and those at Nos 5 and 9 Meadow Way incorporate a mix of render and English bond brickwork to their elevations, rosemary tiled roofs with chimneys and have similarly proportioned, white framed, windows with clay tile sills. The general consistency in respect of the scale and proportions of architectural features on these traditional dwellings positively contributes to the character and appearance of the CA and adds to its significance.

6. The CA SPG includes that close reference to the original appearance of the host dwelling is essential when designing extensions and that it will normally be appropriate to use matching materials and details on a new extension.
7. However, the scale of the gables to the front elevation would be unduly bulky seen between the simpler hipped roof forms at Nos 5 and 9. Together with the more comprehensive application of white render to the front elevation, the slate roof covering and the modern design and proliferation of grey framed windows, this would create a contemporary aesthetic, differentiating the resultant dwelling from its original appearance. This would also negatively contrast with the traditional appearance of the neighbouring dwellings at Nos 5 and 9. Consequently, the proposal would not successfully assimilate into its immediate surroundings and would erode the character and appearance of the CA.
8. In addition, the plans indicate that there would be a gap of 0.955m between the side elevation of the extended dwelling and the boundary with No 9 Meadow Way. This directly conflicts with Policy 8 (Side Space) of the London Borough of Bromley Local Plan (2019) (LP) requires that proposals of two or more storeys in height retain a minimum 1.0 metre space from the side boundary. I accept that the gap in this instance would be the same as that which presently exists between the dwelling and this side boundary. However, the increases to the eaves height and the overall bulk of the roof would emphasise the limitations in side space when viewed from the street and this contributes to the harm identified.
9. I accept that there are several examples of large additions and contemporary design in the CA. This includes dwellings in close proximity to the site, for example at Nos 10 and 1 Meadow Way, the latter of which was under construction at the time of my visit. I am unaware of the material considerations in respect of other developments within the CA when they were granted planning permission. In any case, from what I saw, none were identical to the design of the appeal proposal or its immediate neighbouring context. Therefore, I have assessed the proposal on its own merits and find that it would not preserve the significance of the CA in this particular instance.
10. Having regard to the requirements of the National Planning Policy Framework (the Framework), the proposal would result in less than substantial harm to the character and appearance of the CA. Paragraph 202 of the Framework states that where a development would lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

11. The proposal would provide additional living space resulting in a private benefit for any occupiers of the host dwelling. However, I find that there are no public benefits in this instance that outweigh the less than substantial harm that would be caused to the significance of the CA.
12. I conclude that the proposal would erode the character and appearance of the CA. In that regard, the proposal would conflict with the design, context, spacing and conservation requirements of Policies 6 (Residential Extensions), 8 (Side Space), 37 (General Design of Development), and 41 (Conservation Areas) of the LP and the Framework. For the reasons set out, the proposal would also conflict with the guidance in the CA SPG.

Living conditions of occupiers of No 9 Meadow Way

13. On my site visit I saw that No 9 has a clear glazed first-floor window close to its rear elevation. This window sits in close proximity to the boundary with the appeal site. There is also a secondary window serving the same room to the flank elevation of No 9 facing the side elevation of the appeal dwelling.
14. The proposed two-storey rear extension would project significantly beyond the two-storey rear elevation of No 9 and the above identified windows. Together with the close proximity of the extension to the boundary with No 9, the proposal would be very imposing when experienced from the room served by these windows and this would have a detrimental impact on the quality of outlook for occupiers of this neighbouring dwelling.
15. Whether or not concerns have been raised by neighbouring occupiers in respect of the identified impact on outlook, I have a duty to protect the living conditions of neighbouring occupiers in the long-term.
16. I conclude, the proposal would result in significant harm to the living conditions of No 9 Meadow Way with particular regard to outlook. In that regard, the proposal would conflict with the requirements for development to respect neighbouring amenity in Policy 37 (General Design of Development) of the LP. The proposal would also be contrary to Paragraph 130 of the Framework which amongst other things requires that developments create places with a high standard of amenity for existing and future users.

Conclusion

17. The proposal would not preserve the significance of the CA and would also result in significant harm to the living conditions of occupiers of No 9 Meadow Way. The proposal therefore conflicts with the development plan taken as a whole. There are no material considerations that indicate the decision should be made other than in accordance with the development plan. The appeal is therefore dismissed.

M Russell

INSPECTOR