The Planning Inspectorate

Appeal Decision

Site visit made on 6 February 2023

by C J Leigh BSc(Hons) MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24 March 2023

Appeal A Ref: APP/G5180/D/22/3311160
2 Kingsway, Petts Wood, Orpington BR5 1PR

- 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 Paul Murphy against the decision of the Council of the London Borough of Bromley.
- The application Ref DC/22/02605/FULL6, dated 30 June 2022, was refused by notice dated 25 August 2022.
- The development proposed is double storey side, single storey rear extensions, rear dormer extension with rooflights to the side elevations.

Appeal B Ref: APP/G5180/D/22/3311161
2 Kingsway, Petts Wood, Orpington BR5 1PR

- 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 Paul Murphy against the decision of the Council of the London Borough of Bromley.
- The application Ref DC/22/03489/FULL6, dated 5 September 2022, was refused by notice dated 31 October 2022.
- The development proposed is demolition of garage and conservatory, part one/two storey side extensions, loft conversion with rear dormers and side rooflights.

Decisions

Appeal A Ref: APP/G5180/D/22/3311160

1. The appeal is dismissed.

Appeal B Ref: APP/G5180/D/22/3311161

2. The appeal is dismissed.

Main issues

3. The main issues in both appeals is the effect of the proposed development on, firstly, the character and appearance of the Chislehurst Road, Petts Wood Conservation Area and, secondly, living conditions of adjoining occupiers.

Reasons

Effect on the Conservation Area

4. The appeal site lies within the Chislehurst Road, Petts Wood 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. This is a residential area developed in the 1930s which still displays the Garden Suburb origins of the original layout and architecture of houses. Properties are mainly detached, with good landscaping and spacing between and around houses.

5. There is a cohesive character arising from the common design theme of buildings, and of particular note in this regard are the properties along Kingsway and Wood Ride where the Council's Chislehurst Road, Petts Wood Conservation Area Supplementary Planning Guidance (SPG) explains the designs were based on that of C F A Voysey. I saw at my site visit that the houses here are of fine appearance, with the neo-vernacular features identified in the SPG creating a street scene of very good quality. The quality of buildings in the Area, consistency in the design approach, spacing between houses, and landscape setting creating the Garden Suburb character lead to the significance of the Area as a heritage asset.

6. The appeal property is a good representative of the original form and appearance of house that is important to the character of the Area. It has a fairly unaltered appearance to Kingsway, with good spacing around it that leads to the house sitting comfortably on its plot. This spacious character and gap to the side of the building, and the quality in design, leads to a positive contribution to the Conservation Area. I saw at my site visit that along Kingsway and Wood Ride are houses also of similarly high quality in their scale, design and siting.

7. The proposed side extension in Appeal A would see the removal of the existing garage to the side of the house and close much of the gap to the adjoining property of 255a Chislehurst Road. The extension would project forward and the roof modified to continue the existing roof plane. This design approach would change the character of the building from a relatively modest house of appropriate scale and spacing to its plot to create a larger house that would be of uncomfortable width, depth and scale for the site. The forward projection of the extension and the alteration to the roof would create a notably more prominent house.

8. The notable changes to the building would lead to harm to the original appearance of the building, which is important to the character of the area. The property is particularly noticeable in the street scene due to the angle of 255a Chislehurst Road to the east, and hence the discordancy of the proposals would have a very appreciable impact upon the Conservation Area.

9. The scheme in Appeal B sought to address the Council's concerns with application 22/02605/FULL6 by setting back the first floor element of the side extension, to remove a front gable element to the extension and to reduce the ridgeline of the extension. I acknowledge these measures have reduced the scale of the addition, and there is a greater degree of subordination to the original property. However, the width of the extension would still lead to a very appreciable reduction of the important spacing to the side, creating a cramped appearance for the house on its plot in a prominent and important site. This reduction in spaciousness would be harmful to the wider character of the area.

10. Policy 37 of the Bromley Local Plan 2019 seeks to ensure all development proposals are of a high standard of design and, amongst other matters, positively contribute to the existing street scene and landscape and respect important views and heritage assets. Policy 8 states that, when considering

extensions, the Council will normally require a minimum 1m space from the side boundary of the site but continues to say that, where higher standards of separation exist, a more generous side space will be required. A spacing of 1m is proposed in both Appeal A and B. There is an existing important character at the appeal site and the wider area that derives from the generous spacing at present and, for the reasons given above, I consider a 1m distance to be harmful to the area. My findings on this are supported by the guidance in the SPD that, whilst extensions in the Conservation Area may be permitted, they should not significantly alter spatial characteristics by taking up large amounts of side or front space.

11. The proposals in both appeals a dormer to the rear roof slope, with a design of two pitched elements linked by a flat roof section. This would be seen from Chislehurst Road and this current viewpoint is across a long expanse of unaltered roof slopes, where the characterful pattern of steeply pitched roofs is a positive feature to the Conservation Area that reflects the good original appearance of houses. I consider the scale of the roof addition, how the design would upset the original roof slope, and the extended views at high level would detract from the appearance of the Area in both appeals.

12. I acknowledge that extensions to properties in the Area have occurred. My attention has been drawn to two examples on Chislehurst Road which have included two storey side extensions, but from my observations at the site visit I consider differences to the appeal property: houses on Chislehurst Road display more diversity in appearance, scale and siting in relation to the road than the housing along Kingsway. Whilst the extensions to the houses there have retained the generally spacious setting of the subject properties when regard is paid to the context in which they sit, and hence preserve the character and appearance of the Conservation Area, the works to the appeal property would not be acceptable. I have determined the appeal on its own merits and the alterations to other properties do not change my findings.

13. It is therefore my conclusion in both Appeals on the first main issue that the proposals would conflict with Policies 6, 8 and 37 of the Local Plan, which seek a high standard of design in new development proposals, and with Policy 41 of the Local Plan 2019, as there would be harm to the character and appearance of the Conservation Area. The proposals also conflict with the guidance in the SPG.

14. Thus, there would be harm to the significance of the Conservation Area as a designated heritage asset and I attach considerable importance and weight to this harm. That harm would be less than substantial and so, in accordance with paragraph 202 of the National Planning Policy Framework, must be considered against the public benefit of the proposal.

15. The proposals in both appeals are to provide more living space to an existing dwelling in residential use, which is a private benefit. I am not aware of any wider public benefits that would be secured by the proposals and so I conclude that there are no public benefits arising from the proposed works that would outweigh the harm identified. My conclusions on the main issue therefore remain the same.

Living conditions

16. The proposed extension would project deeper into the site at ground floor in both appeals. The height of this element of the extension, and use of pitched roof, would mean no harm in the outlook to adjoining properties. At first floor the side extension in both appeals would not extend beyond the existing rear building line of the house. From my observations at the site visit I am satisfied this would mean no material harm to the outlook or levels of light to the adjoining property at 255a Chislehurst Road.

17. A new window would be formed at first floor closer to No. 255a, but as this serves a bathroom in both appeals this would not lead to a loss of privacy. The windows to the proposed bedrooms within the extended roof space would be distant enough to ensure no material loss of privacy, when consideration is given to existing windows to the Kingsway properties.

18. On the second main issue it is concluded that the proposals in both appeals are consistent with the guidance in Policy 37 of the Local Plan insofar as it requires all developments to respect the amenity of occupiers of neighbouring buildings.

Conclusions

19. Although I have found no conflict with the development plan on the second main issue, it is my overall conclusion that the harm arising in relation to the first issue is sufficient to outweigh other matters. The appeals are dismissed accordingly.

C J Leigh

INSPECTOR