The Planning Inspectorate

Appeal Decision

Site visit made on 7 March 2023

by G Dring BA (Hons) MA MRTPI MAUDE

an Inspector appointed by the Secretary of State

Decision date: 20 APRIL 2023

Appeal Ref: APP/G5180/D/23/3314156
36 Meadow Way, Orpington, Bromley BR6 8LW

- 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 Koray Kanli against the decision of the Council of the London Borough of Bromley.
- The application Ref DC/22/03562/FULL6, dated 8 September 2022, was refused by notice dated 9 December 2022.
- The development proposed is first floor side extension with three dormer windows at the front and rear infill single storey side extension. Loft conversion including roof alterations with four dormer windows to rear and roof lights to side.

Decision

1. The appeal is dismissed.

Preliminary Matter

2. After the appeal had started, the Council issued a decision notice relating to a property adjacent to the appeal site. The appellant has submitted a copy of the decision notice and the Council has been given the opportunity to comment on its implications for the appeal. Consequently, I am satisfied that no party would be prejudiced by my acceptance of the additional evidence and in reaching my decision, I have had regard to it.

Main Issue

3. The main issues are the effect of the proposal on the character and appearance of the host dwelling and whether the proposal would preserve or enhance the character or appearance of the Farnborough Park Conservation Area.

Reasons

4. The appeal site comprises a two storey detached dwelling set back from the road within a spacious plot in a gated low density residential area. The host dwelling is Arts and Crafts inspired with the front elevation of symmetrical design. Previous additions to the host dwelling that are visible from the road are subservient in scale and design. The first floor accommodation is located within a tiled mansard roof and a rendered gable feature to the front is a key design detail.

5. The appeal site is within the Farnborough Park Conservation Area (CA), where the significance lies in the landscape focussed approach to the development of the estate, the verdant character and the individualistic and varied architectural detailing and designs which are sympathetic to one another

meaning that none of the dwellings appear discordant. The host dwelling contributes positively to the character and appearance of the CA and is reflective of the earlier stages of the development of the park.

6. The Supplementary Planning Guidance for Farnborough Park Conservation Area (undated) (SPG) is not part of the development plan but is a material consideration. The SPG states that most buildings present a carefully considered front façade as a significant element of their design. It goes on to identify that where this feature is symmetrical, the maintenance of symmetry will be an important consideration in order to provide the continued appreciation of the original design elements, which is an important conservation area objective.

7. The proposed single storey rear extension would be limited in scale and footprint and would be significantly screened from public view by the host dwelling. However, the proposed side extension at first floor level would be highly visible. It would follow the same front building line and roof height as the host dwelling and would not therefore appear subservient. This element of the proposal would unbalance the symmetrical front façade which currently contributes positively to both the character and appearance of the host dwelling and the CA.

8. The proposal would result in the replacement of the mansard roof with a crown roof which would have a higher ridge line than the existing. Whilst the overall height proposed would not be at odds with surrounding dwellings, this part of the proposal would appear bulkier than the existing roof form and would alter the character and appearance of the host dwelling quite significantly. This dominant addition would result in the loss of the simple lines of the existing roof form.

9. Paragraph 3.16 of the SPG states that care should be taken to ensure that roof slopes do not become over cluttered. Despite the use of matching materials, or that the individual sizes of the proposed dormer windows would be relatively limited and that the positioning would be uniformly spaced, the number proposed would result in a more cluttered roof scape. Whilst there are examples of varying designs of dormer windows within the wider CA, there are not any of the same design, positioning or number viewed in the surrounding context of the appeal site.

10. The proposed dormer windows to the rear would be largely screened from public view, however, the front elevation would be highly visible from the road. Along with the proposed first floor side extension, the three proposed dormer windows located to the front would further emphasise the harm to the symmetry of the front façade. For the reasons discussed above, the proposal would be harmful to the character and appearance of the host dwelling and in turn would not preserve or enhance the significance of the CA.

11. Having regard to the requirements of paragraph 202 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. 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.

12. The proposal would provide additional living space resulting in a private benefit for any current or future occupiers of the host dwelling. The appellant asserts that the proposal would optimise the appeal site potential, although I have no information before me on other schemes that have been considered in this respect. Whilst I have given this consideration some weight, this modest benefit would not be sufficient to outweigh the harm I have identified. Therefore, no public benefits have been evidenced in this instance that would outweigh the less than substantial harm to the CA.

13. The appellant has referred to a recently approved application for planning permission for alterations and extensions at the neighbouring dwelling, 34 Meadow Way. No 34 is of a different design to the host dwelling and does not make the same contribution to the CA. In addition, the approved alterations to No 34 are not directly comparable with what is being proposed at the host dwelling.

14. In addition to the planning permission at No 34 I have been provided with several examples of what the appellant contends are similar forms of development within the locality. Whilst I observed those examples at my site visit, I have not been provided with the full details and I cannot therefore be certain that the developments highlighted are directly comparable to the proposal before me. Given its conservation area designation the appeal is also subject to site specific and bespoke considerations and each case must be determined on its own merits. Thus, none of these other considerations, on their own or in combination, alter my view.

15. I therefore find that the proposal would be harmful to the character and appearance of the host dwelling and would fail to preserve or enhance the character and appearance of the CA. It therefore conflicts with policies 6, 37 and 41 of the London Borough of Bromley Local Plan January 2019 which seek, amongst other things, to ensure proposals for the enlargement of residential properties respect or complement the host dwelling, the adjacent buildings and the area and preserve and enhance the characteristics and appearance of the Conservation Area. The proposal also conflicts with the SPG which seeks to preserve and enhance the character and appearance of the CA. For the same reasons I find conflict with the provisions of the Framework in respect of protecting the historic environment.

Other Matters

16. Even if I were to agree that the proposal would not have a detrimental effect on the living conditions of the occupiers of neighbouring dwellings, a lack of harm in this regard would not weigh in favour of the proposal.

17. In reaching this view I have had regard to the planning history of the appeal site. However, the Council do not dispute the principle of development and I have dismissed the appeal primarily on the effects of its design. Such a consideration does not therefore provide any support or justification for this proposal and does not alter my view to dismiss the appeal.

Conclusion

18. The proposal would conflict with the development plan, when read as a whole. Material considerations, including the Framework do not indicate that a decision

should be taken other than in accordance with the plan. Having considered all other matters raised I therefore conclude that the appeal should be dismissed.

G Dring

INSPECTOR