



Appeal Decision

Site visit made on 13 June 2023

By Terrence Kemmann-Lane JP DipTP FRTPI MCMI

an Inspector appointed by the Secretary of State

Decision date: 27 June 2023

Appeal Ref: APP/G1580/W/23/3316017

29 Great Thrift, Petts Wood, Orpington, BR5 1NE

- 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 Martin Beney against the decision of Bromley London Borough Council.
 - The application Ref DC/22/04576/FUL6, dated 17 November 2022, was refused by notice dated 17 January 2023.
 - The development proposed is demolition of existing garage and erection of single storey side extension, single storey first floor rear extension above the existing garden room and front dormer and elevational alterations.
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Decision

1. The appeal is dismissed.

Preliminary matters

2. The description of the proposed development shown on the application form and slightly amended on the appeal form was *"The proposed works firstly involves the removal of an existing garage detached outbuilding. For clarity the whole proposal itself is split into three main areas. 1. The proposal includes the construction of a single storey side extension with a flat roof to accommodate a garage, utility room with a rear door access that leads out directly to the rear garden. 2. The proposal also includes a rear double storey extension arrangement which increases the existing ground floor area to accommodate an extra room coming off the right-hand side of the modernised kitchen layout. The first floor (upstairs) of this double storey extension will accommodate a new bedroom at the very rear and study room. This study room can also be large enough to be bedroom to accommodate a single bed. 3. The construction of a new dormer to the front elevation of the house to accommodate an extra storage area coming off the existing bedroom."*
3. This is a long description that includes text that does not relate directly to the operational development proposed. The officer's report and the council's refusal notice changed that description to the one that I have used in the heading above. I consider that this succinct description accurately reflects the operational development proposed, and I have therefore adopted it.

Main Issue

4. The main issue in this case is the effect of the proposed development on the character and appearance of the existing dwelling, its attached neighbour, the streetscene and the Area of Special Residential Character.

Reasons

5. The appeal site is a two-storey semi-detached dwelling dating from the inter-war period, on the western side of Great Thrift, and falls within Petts Wood Area of Special Residential Character (ASRC) and lies adjacent to The Thrifts Conservation Area. The appeal proposal is to provide the appellants and their family with additional and improved living accommodation. The majority of the development in the locality is arranged on a traditional street pattern, for the most part two storey semi-detached and detached housing. Many of the houses on the street have been altered and extended over the years, including by way of side and rear extensions, to suit the changing needs and circumstances of successive occupiers. In addition to the houses themselves, the appearance and quality of the local area is derived from the trees and shrubs along the streets and spacious back gardens which typically contain a good degree of mature tree and shrub planting.
6. The appeal dwelling and its neighbour have a hipped main roof with two central conjoined gabled dormers running from the front roof slope. The roofs are plain tiled, the first floors are white rendered and the ground floors are in red brick. There is some repetition in the design of houses, but the ASRC is characterised by the regularity of front building and rear building lines, the consistency in the front roof lines, largely untouched by roof extensions or conversions, and the symmetry of pairs is important in defining the character of the area. As well as being within the ASRC, the dwellings opposite the site, and those from No.35, 3 doors away to the north, are within the Thrifts Conservation Area. Thus, as the local plan policy and the National Planning Policy Framework (the Framework) make clear, design is a key consideration in the planning process, and is an important matter in this case.
7. The appeal proposal is to erect a garage on the line of the front porch, under a mainly flat roof, with a 2-storey element behind. The 2-storey element would not extend to the full width of the garage and would wrap around the rear corner of the house. It would be surmounted by a hipped roof with a short ridge running parallel to the frontage. This would be seen as a first floor element, rising above the garage, but set in slightly from the outside wall. The majority of the roof, and about a third of the first floor of this extension would appear as jutting out at the rear of the house. In addition, an important element of the proposal, in terms of the main issue, would be a small gabled dormer that would be set a little behind the front elevation of the existing large dormer (described in paragraph 6 above) and be physically attached to it.
8. The appellant explains that the appeal application sought to address the reasons for refusal of a previous scheme by reducing the width of the ground and first floor extension, and that this reduction in size gives a greater space to the side access and results in a less cramped area between the flank wall of the two-storey extension and the boundary line. The appellant contends that this reduces the impact on the street scene.
9. However, the 2 features that I have dealt with, the rear first floor element and the new dormer, would both be intrusive and discordant features. They would have a detrimental effect on the appearance of No.29 itself, and also would unbalance the existing attractive appearance of the pair of semi-detached dwellings. In turn this would be harmful to the appearance and character of the ASRC. These matters have added importance, since the appeal site is in close

proximity to the boundary of the Thrifts Conservation Area, and BLP policy 42 requires that development proposals adjacent to a conservation area will preserve or enhance its setting.

10. The appellant's appeal statement makes reference to the relevant policies of the BLP, noting the extent to which the appeal proposal conforms with the criteria. It is true that, for the most part, the proposal is not at odds with many of the matters dealt with by the policies; but that does not answer the single issue in this case, which rests on a simple judgement about how the design relates to the appeal property, its attached neighbour and the wider surrounding area. I have also taken account of the references to the Framework and National Planning Practice Guidance – in particular Framework paragraphs 126 and 130 emphasising the importance of high quality design.
11. My attention has been drawn to an appeal decision of November 2010 for a similar proposal at No.27 (the attached neighbour), and a permission given by the council, in June of that year, for No.25. I note that the development at No.27 was not implemented, whilst the 2-storey element at No.25 did not extend as far from the flank elevation as the current proposal, and is less visible as a consequence, but I retain my concern about the effect of the front dormer.
12. The 2010 appeal decision is commendably brief, but seems to rely entirely on the permission at No.25 and another development in Woodland Way, some distance away, but again having a similar dormer. Of course the point about consistency of decision making is well made, but although the 2006 Unitary Development Plan had some similar policies to the BLP, it and these decisions were made before the publication of the 2012 Framework, that in turn has been superseded by the 2021 version, and the London Plan 2021. Nor do I know how the matter was argued in the representations. However, there is now a greater policy emphasis on high quality design than heretofore. It does not amount to a precedent that I have to follow.

Conclusions

13. Clearly the appeal proposal would bring benefits to the appellant and his household, but I have reached my decision on the basis of public policy and benefit which overrides private interests. For the reasons that I have set out in paragraph 9 above, I will dismiss the appeal.

Terrence Kemmann-Lane

INSPECTOR