



Appeal Decision

Site visit made on 6 May 2024 by N Unwin BSc (hons) MSc MRTPI

Decision by F Wilkinson BSc (hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 JUNE 2024

Appeal Ref: APP/G5180/W/23/3332171

50 Palace Grove, Bromley BR1 3HB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval required under Schedule 2, Part 20, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (GPDO).
 - The appeal is made by R Bignell against the decision of the Council of the London Borough of Bromley.
 - The application ref is 23/02623/NDFLAT.
 - The development proposed is described as 'upwards extension (one storey) to deliver 2 x 1 bedroom flats'.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Procedural Matters and Main Issue

3. The above mentioned legislative provisions grant a planning permission for new dwellinghouses on detached blocks of flats subject to limitations and conditions. Where an application is made for a determination as to whether prior approval is required for development, paragraph A.2(1) provides that the local planning authority may refuse the application where it considers that the proposed development does not comply with the conditions, limitations or restrictions that are applicable. One such limitation concerns the external appearance of the building which forms the main issue of the appeal.
4. The provisions of paragraph B.(15) of Schedule 2, Part 20, Class A of the GPDO require account to be taken of any representations made as a result of any consultation and regard to be had to the 2023 National Planning Policy Framework so far as it is relevant to the subject matter of prior approval. It does not require regard to be had to the development plan. Nevertheless, regard has been given to the policies of the London Plan (2021), and the London Borough of Bromley Local Plan (2019) (the BLP) only in so far as they are a material consideration relevant to the external appearance of the building.

Reasons for the Recommendation

5. The appeal site forms a three-storey building set back from Palace Grove. Notwithstanding some variety in the built form in terms of age and architectural forms, the properties within the area are of a similar modest scale and comparable in their relationship with the highway to that of the appeal building. This allows these properties, including that of the appeal site, to appear unobtrusive, bestowing the street scene with an attractive spaciousness and uniformity. The mansard roof design of the front elevation of the appeal building is moderate in scale, with the external walls forming the majority of the elevation facing the highway, creating an attractive, well-balanced façade. These proportions are commensurate with those of the surrounding properties, further contributing to the pleasing uniformity of the street scene.
6. The proposed additional storey would result in the building appearing far larger than that of the surrounding ones, disrupting the existing homogeneity in the height of the built environment, appearing incongruous within the street scene. The additional upward projection would create an overbearing form when viewed from the public realm and erode the existing spaciousness of the highway afforded by the modest scale of the flanking buildings. The upward continuation of the mansard style roof would produce a roof form of a similar scale to that of the external wall of the building, appearing unbalanced and out of character with the proportionate nature of the surrounding properties, further disrupting the congruity of the street scene.
7. The appeal scheme would therefore be unacceptable with regard to the external appearance of the building and would accordingly result in the proposal failing to comply with the limitations and exceptions of the aforementioned part and class of the GPDO.
8. The proposal would additionally conflict with Policies D3 and D4 of the London Plan and Policies 4 and 37 of the BLP insofar as they are a material consideration, which when read together and amongst other things, require development to positively contribute to the existing street scene and reflect local character.

Other Matters

9. The five-storey building on the corner of Park Road and Widmore Road is a significant distance from the appeal site and as such, does not form part of its setting. External appearance is a site-specific matter, and no clear evidence has been presented to indicate that the appeal decisions cited by the appellant would be directly comparable to the appeal proposal.
10. None of these matters alter or outweigh the identified harm.

Conclusion and Recommendation

11. For the reasons given above, the appeal scheme would not satisfy the explicit limitations and exceptions of the above-mentioned legislative provisions, with specific regard to the external appearance of the building. The appeal should therefore be dismissed.

N Unwin

APPEAL PLANNING OFFICER

Inspector's Decision

12. I have considered all the submitted evidence and my representative's report and, on that basis, I dismiss the appeal.

F Wilkinson

INSPECTOR