



Appeal Decision

Site visit made on 9 July 2024

by R Gee BA (Hons) Dip TP PGCert UD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 July 2024

Appeal Ref: APP/G5180/W/24/3336776

7 Ashbourne Rise, Bromley, Orpington BR6 9PY

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Popescu against the decision of the Council of the London Borough of Bromley.
 - The application Ref is DC/23/03767/FULL1.
 - The development proposed is described as loft conversion and alterations to existing dwelling. 2 storey side extension to create a new dwelling, associated parking, vehicle access and external storage.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Since the submission of the appeal a revised National Planning Policy Framework (the Framework) was published in December 2023. Those parts of the Framework most relevant to this appeal have not been amended. As a result, I have not sought further submissions on the revised Framework, and I am satisfied that no party's interests have been prejudiced by taking this approach.

Main Issue

3. The main issue is the effect of the proposed development on character and appearance of the area.

Reasons

4. The appeal site is located within a residential area and comprises the side garden of the existing property at No 7 Ashbourne Rise, a two-storey semi-detached dwelling. The site forms a corner plot at the junction of Ashbourne Rise and Tubbenden Lane. In the locality dwellings which occupy corner plot locations have generally retained their more generous plot sizes and are set back from the highway, providing a spacious and open feel which contributes positively to the area.
5. The Council's concerns are in respect of the proposed two-storey dwelling, which would be attached to the gable wall of the existing dwelling (No 7). The proposed dwelling would replicate the front elevation of the host property with a continuation of the existing roof profile and fenestration detail. The proposal would bring built development close to the side boundary and would be prominent within the streetscene. Furthermore, given the bulk and mass of the rear dormer to the proposed new dwelling, this impact would be

highly visible, exacerbated by the site's exposed and prominent corner plot location.

6. A triangular parcel of land, annotated as garden, would be retained to the side of the proposed dwelling. At its narrowest point the proposed dwelling would be positioned marginally over 1m from the side boundary with the space widening to over 6m. Whilst the proposal would provide for the minimum separation from the boundary, as advocated in development plan policy, the narrowest part would be towards the appeal site frontage where currently the spatial characteristics of the site contribute positively to the character and appearance of the streetscene. Accordingly, as a higher standard of separation already exists the reduction in this side space would be harmful to the visual amenity of the streetscene.
7. Despite the sympathetic use of materials, for the reasons stated, the proposed dwelling would appear overly dominant within the streetscene causing harm to the character and appearance of the area.
8. I therefore conclude that the proposed development would cause harm to the character and appearance of the area. Accordingly, the proposal conflicts with Policies 8 and 37 of the London Borough of Bromley Local Plan 2019 (BLP). Among others, this policy seeks to achieve a high standard of design and layout.
9. Policy 6 of the BLP relates to residential extensions and Policy 9 refers to residential conversion. Insofar as the concerns relate to a new dwelling these policies are not determinative to the appeal scheme before me.

Other Matters

10. The site is located within an urban area and the principle of the development is not disputed. Owing to its design and orientation the proposal would not harm living conditions of the occupiers of adjacent existing dwellings with regards to overlooking or loss of light. Nor would the proposal give rise to highway safety concerns.
11. The appellant has referred to other developments approved by the Council, including a previously approved, but unimplemented, extension at the appeal property¹ in 2006. From the limited information before me this proposal related to a two-storey side extension which did not extend to the same width as the appeal proposal. In any event, as an extension this is not directly comparable to an additional dwelling. In respect of No 2 Ashbourne Rise the two-storey side extension is set back from the front elevation of the property and maintains a hipped roof arrangement. Accordingly, the extension appears subservient to the host property. Furthermore, the site benefits from mature landscaping which largely screens the property from roadside views. For these reasons the development is not directly comparable to the appeal scheme before me. I also observed other properties within the locality that have two-storey side extensions. However, as extensions they are generally subordinate to the host property. In any event, each case must be assessed on its own merits. Accordingly, the presence of other development does not justify the harms which I have identified that the appeal proposal would cause.

¹ office reference 06/02750/FULL6

12. The proposed development would make a contribution of one additional dwelling to housing supply and would make efficient use of a small site. There would be some social and economic benefits of the proposed development, including in supporting employment during construction and the bringing of trade to nearby services and facilities upon completion. However, these benefits and the contribution to housing supply in the borough would inevitably be limited given the limited scale and nature of the development proposed. These matters do not, therefore, outweigh the harm that has been identified and do not lead me to an alternative conclusion.
13. The Council does not dispute the appellant's contention that it is unable to demonstrate a Framework compliant housing land supply. As such, relevant policies for the supply of housing should not be considered up-to-date and paragraph 11 d) of the Framework is engaged. From the evidence before me there is an acute undersupply of housing. Nevertheless, given there would be limited benefits in the provision of one dwelling, I consider that the adverse impacts of the development would significantly and demonstrably outweigh the limited benefits when assessed against the policies in the Framework when taken as a whole.
14. The Council raises no concerns regarding the proposed dormer window and single storey extension to No7. Based on the evidence before me, the plans submitted and my observations on site, I see no reason to disagree with that assessment. However, this does not change my position on the main issue.

Conclusion

15. The proposal would conflict with the development plan as a whole and there are no material considerations, including the Framework, which would indicate a decision other than in accordance with it.
16. The appeal is dismissed.

R Gee

INSPECTOR