



Appeal Decision

Site visit made on 29 October 2024

by M Ollerenshaw BSc (Hons) MTPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 November 2024

Appeal Ref: APP/G5180/W/24/3340939

Land between 107 and 109 Lockesley Drive, Orpington, Bromley BR5 2AB

- 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 Fatmir Cela of Bmac Studio Architecture against the decision of the Council of the London Borough of Bromley.
 - The application Ref is DC/23/04537/FULL1.
 - The development proposed is erection of a 3 bedroom dwellinghouse including a loft conversion with a rear dormer and two front roof lights.
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Decision

1. The appeal is dismissed.

Main Issue

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

Reasons

3. The appeal site is a plot of land situated between two residential properties. It is occupied by a garage set back into the site, the remainder of which is overgrown. The surrounding area is largely residential and is characterised by two storey semi-detached houses. Properties on Lockesley Drive are set back from the road behind front gardens and driveways, and their roof lines follow the slope of the road. While some properties have been altered and extended, there is a degree of consistency due to the linear building lines, generous plot sizes and hipped roofs. This results in a spacious and harmonious character.
4. The proposal is for a two storey detached house with accommodation in the roof space. Since the previous scheme was dismissed at appeal, the proposal has been revised from two self-contained flats to a single dwelling. The proposed dwelling would be set back into the site, with a driveway and garden to the front, and it would follow the building line of the adjacent houses.
5. Although the dwelling would maintain a spacious gap to the side of No 109, it would be close to No 107. The dwelling would be built up to the side boundaries of the site. Thus, it would not comply with Policy 8 of the Bromley Local Plan (2019) (Local Plan), which requires new residential development to provide a minimum one metre space from the side boundary for the full height and length of the building; or a more generous side space where higher standards exist. The narrow width of the proposal, together with the lack of relief to the side boundaries, would result in a cramped and dominant appearance in relation to

the plot. It would be at odds with the spacious character of this road, where properties generally maintain generous gaps to one side.

6. The reduced height of the proposal would not sufficiently mitigate its impact, since the gable roof design and rear dormer would create a bulky roof form, which would accentuate the lack of space to the side boundaries and stand out starkly against the hipped roofs of neighbouring dwellings.
7. While I accept that the design of the dwelling is materially different to the previous scheme, and that there is some variation in the styles of property in the area, I find that the scale, layout and design of the proposal do not respond sensitively to the area's prevailing character. Although the garage is dilapidated, it is an understated structure which does not detract significantly from the character of the area and does not justify the appeal proposal.
8. For the above reasons, I conclude that the proposal would be significantly harmful to the character and appearance of the area. It would therefore conflict with Policies D3 and D4 of the London Plan (2021) and Local Plan Policies 4, 8 and 37. Amongst other things, these policies require development to be of a high standard of design and layout while enhancing the quality of local places. The Council also refers to a conflict with London Plan Policy D1, but as it relates to capacity and planning for growth, it is of little relevance in this instance.

Other Matters

9. No objections were received from neighbours or statutory consultees, but this does not lead me to a different conclusion based on my own observations.

Planning Balance and Conclusion

10. The Council cannot demonstrate a five year housing supply, with the Council's figures indicating a significant level of under supply. The presumption in favour of sustainable development, as set out in paragraph 11(d) of the National Planning Policy Framework (the Framework), is therefore engaged, and permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole.
11. The proposed development would make efficient use of a sustainably located site, contribute towards addressing the shortfall in housing delivery in the borough, create employment opportunities during the construction phase and provide on-going support for local services from future occupiers. However, only limited weight can be attached to these matters given the modest scale of the proposal. I have found that the proposal would result in significant harm to the character and appearance of the area. Therefore, the adverse impacts of the proposal would significantly and demonstrably outweigh the benefits.
12. The proposal would conflict with the development plan as a whole and there are no other considerations which outweigh this finding. Therefore, I conclude that the appeal should be dismissed.

M Ollerenshaw

INSPECTOR