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# Appeal Decision

Site visit made on 29 October 2024 by R Pankhurst

**Decision by L McKay MA MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 02 DECEMBER 2024**

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**Appeal Ref: APP/G5180/D/24/3348018**

**1 Fairfield Road, Petts Wood, Orpington BR5 1JR**

- 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 D Young against the decision of the Council of the London Borough of Bromley.
  - The application Ref is 24/01539/FULL6.
  - The development proposed is for two storey side extensions, single storey rear extension and construction of new roof / loft floor.
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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.

## Main Issues

3. The main issues are the effect of the proposal on the character and appearance of the area and on the living conditions of the occupiers of 3 Fairfield Road, with particular regard to outlook and privacy.

## Reasons for the Recommendation

### *Character and Appearance*

4. The appeal site comprises a two-storey detached property of Art Deco style with a flat roof and white rendered finish. There are similar style semi-detached properties close by, but the wider area of Fairfield Road is largely characterised by detached properties with a broad mixture of architectural styles, many of which have been extended. The appeal property is unique for being the only detached Art Deco style property in the immediate area.
5. The proposal would significantly extend the appeal property by erecting a two-storey side extension to each flank, a single-storey rear extension and an additional floor on top of the existing flat roof. While the appeal property is detached, it is nevertheless seen in the context of the surrounding dwellings. The Art Deco style dwellings in Fairfield Road closest to the appeal site have parapet roofs and are of similar height to the existing appeal property.
6. The proposed additional floor would be prominent in the street scene given the position of the property. It would add considerable height, bulk and mass to

the appeal property. The scale of the additional floor would be further emphasised by the fenestration, which would be taller than that at ground and first floor levels. Therefore, this element of the proposal would appear uncharacteristic in scale and form to the host dwelling and incompatible with development in the surrounding area. Consequently, the proposed additional floor would be harmful to the character and appearance of the area.

7. I recognise that other properties in the local area have extended into the roof, however these are not comparable to the appeal scheme as they are not as visible from the street as the proposal would be, and the dormers are considerably smaller than the proposed additional floor. Some other Art Deco style properties in nearby roads have hipped roofs, however these roofs have a very different appearance to the additional floor proposed here. Therefore, these do not justify the harm identified.
8. Whilst the proposed two-storey side extensions would add considerable mass to the appeal property, it has a unique position on the corner of the road with more space either side than most others. The proposal would maintain a separation distance of at least 1 metre to the shared boundaries in line with local policy.
9. The side extensions would result in a dwelling of similar width and style to the Art Deco pairs opposite, and to No 3 which is a large, wide dwelling. Therefore, given the varying widths and architectural styles of the properties in the area these side extensions would not in themselves look out of place in this street scene. The rear extension would be smaller than a previously approved scheme and would have limited visibility from the public realm. Therefore, I find that these additions on their own would not be harmful to the character and appearance of the area.
10. In combination with the proposed additional floor however, the cumulative effect of the extensions would be to dominate the original dwelling. Overall, the proposal would not be subservient or secondary to the host property, despite the use of matching materials and detailing and the two-storey side extensions and additional floor being set back slightly from the front of the dwelling. Consequently, viewed as a whole the proposed side extensions and additional floor would be a substantial and harmful addition to the dwelling which would harm the character and appearance of the area.
11. The proposal would therefore conflict with Policies 6 and 37(a) of the Bromley Local Plan (adopted 2019) which requires residential extensions to respect the scale and form of the host dwelling and development in the surrounding area.
12. Furthermore, there would be conflict with guidance in the Bromley Supplementary Planning Document (adopted July 2023) which under Policy DG5 advises that extensions should reflect the scale and proportion of existing buildings and positively respond to the character of the area.
13. I acknowledge the extant permission, but this is for single-storey extensions to the side and rear of the property. The scale of what is being proposed here is significantly larger and taller than that scheme. Therefore, the extant permission carries very limited weight and does not outweigh the harm that would be caused by the proposed development.

14. The appellant has referenced other projects on Art Deco properties but I have very little information about where these are or what the properties looked like before, therefore they carry minimal weight and do not justify the harm that would result from this proposal.

### *Living Conditions*

15. Although No 3 is angled away from and set back from the appeal property, much of its front elevation is open and visible from the street, so is not particularly private. There are also first floor windows and a balcony on the rear elevation of No 1 which provide an angled view towards some of the windows in the front of No 3, albeit with small trees in between. Several properties to the rear of No 3 have dormer windows providing an elevated view towards the rear of that property and its garden. The current outlook from the front of No 3 is across their open driveway or towards the boundary trees and side wall of No 1. The position of the trees means that the outlook from the recent side extension to No 3 is limited, and the evidence before me is that the closest window in No 3 serves an en-suite bathroom.
16. The outlook of the window in No 3 closest to the boundary would be onto the two-storey side wall of the proposed side extension, which would be closer to No 3 than at present. As it is not a habitable room however, the resulting impact on living conditions would be limited. The existing trees along the boundary would also provide some screening, but it is not clear whether they would remain. Nevertheless, if they were removed this would slightly improve the outlook from the nearest windows in No 3 compared to if they were retained. Consequently, the proposal would not have an adverse visual impact or harmfully reduce the outlook from No 3.
17. The side windows on the proposed side extension at all levels would be high level and therefore would have no adverse effect on privacy for No 3. The proposed upper floor would add windows in the rear at second floor level, however they would have a similar relationship to the front windows of No 3 as the existing first floor windows. Given the position of No 3 it is unlikely that someone looking out of the proposed windows would see much, if any of its rear garden. Consequently, the proposal would not adversely affect the living conditions of the occupiers of No 3 in respect of privacy.
18. I therefore find that the proposed development would not adversely impact the living conditions of the occupiers of 3 Fairfield Road with regard to outlook and privacy. The development would thus accord with the aims of Policy 37(e) of the Local Plan which requires developments to respect occupiers of neighbouring properties and ensure they are not harmed by inadequate privacy.
19. Although I have found no harm in relation to the effect of the proposal on the living conditions of the occupiers of No 3, this does not outweigh the harm I have identified to the character and appearance of the local area.

### **Other Matters**

20. The proposal would incorporate solar panels, which is supported by Local Plan Policy 37(f). These would be a minor benefit however, and it has not been demonstrated that similar benefits could not be achieved without the harmful

aspects of this proposal. Therefore, this carries limited weight and does not outweigh the harm identified.

### **Conclusion and Recommendation**

21. The proposal would comply with some parts of the Local Plan but would conflict with the requirement to achieve high quality design, which is a matter of substantial importance in local and national policy. I therefore afford this conflict great weight and find that the proposal would conflict with the development plan read as a whole. There are no material considerations that, either individually or cumulatively, justify granting permission. Therefore, for the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

*R Pankhurst*

APPEAL PLANNING OFFICER

### **Inspector's Decision**

22. I have considered all the submitted evidence and my representative's report and agree with the reasoning and recommendation. On that basis the appeal is dismissed.

*L McKay*

INSPECTOR