



Appeal Decision

Site visit made on 26 March 2025

by A Knight BA PG Dip MRTPI

an Inspector appointed by the Secretary of State

Decision date: 31 March 2025

Appeal Ref: APP/G5180/D/24/3352023

Foxwood House, Norsted Lane, Orpington, Bromley BR6 7PF

- 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 Ms Lauren Lloyd against the decision of the Council of the London Borough of Bromley.
 - The application Ref is DC/24/02605/FULL6.
 - The development proposed is demolition of existing gates and fence, erection of gate and wall, recladding existing gate piers and capping, and formation of hard surfacing for car parking.
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Decision

1. The appeal is allowed and planning permission is granted for demolition of existing gates and fence, erection of gate and wall, recladding existing gate piers and capping, and formation of hard surfacing for car parking at Foxwood House Norsted Lane, Orpington, Bromley BR6 7PF in accordance with the terms of the application, Ref DC/24/02605/FULL6, subject to the following conditions:

- 1) The development hereby permitted shall be carried out in accordance with drawings entitled 'Site Location and Block Plan' and numbered P02.
- 2) Unless within six months of the date of this decision a scheme for the drainage of surface water at the site is submitted in writing to the local planning authority for approval, and unless the approved scheme is implemented within a further six months of the local planning authority's approval, the proportion and location of hardsurface and turf on the forecourt at the site shall be returned to that shown on the pre-existing site plan until such time as a scheme is approved and implemented.

In the event of a legal challenge to this decision, or to a decision made pursuant to the procedure set out in this condition, the operation of the time limits specified in this condition will be suspended until that legal challenge has been finally determined.

- 3) Within six months of the date of this decision a scheme for the planting of the landscape areas at the site, including measures to promote biodiversity and wildlife, shall be submitted in writing to the local planning authority for approval. The approved scheme shall be implemented before the end of the first planting season thereafter. Any trees or plants which within a period of 5 years from the implementation of the scheme die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

In the event of a legal challenge to this decision, or to a decision made pursuant to the procedure set out in this condition, the operation of the time

limits specified in this condition will be suspended until that legal challenge has been finally determined.

Preliminary Matters

2. I have used the site address provided in the application form, though replaced 'Aston House' with 'Foxwood House' to reflect a change in the name of the property. I have used the description of development from the decision notice and appeal form as it is more accurate than that provided in the application form, though I have removed the word 'retrospective' as that is not a form of development.
3. The application form confirms that the development has started, and I was able to see this during my site visit.

Main Issue

4. The main issue is the effect of the development on the character and appearance of the host dwelling and the area.

Reasons

5. The appeal site (the site) is a dwelling accessed from a narrow track (the track) off the main body of Norsted Lane. The site is one of a cluster of dwellings set out around the northern end of Norsted Lane, in which the extent of architectural diversity is notable. The cluster includes suburban homes, modest traditional cottages, and strikingly contemporary additions.
6. The development subject of the appeal (the development) is a replacement means of enclosure erected to the front of the dwelling, along with an increased amount of forecourt paving. A planting bed has been formed alongside the track.
7. Whilst incorporating traditional, homely features, the dwelling at the appeal site is nevertheless a reasonably large, detached house, set well back from the track on a large plot. The upper floor of the house is visible over the development on the when viewed from the track, illustrating both the size of the property and the spacious nature of the forecourt. In this context the development appears appropriate to the appeal site dwelling in terms of proportion, scale, and layout.
8. The height of the piers, walls, and gates, and the use therein of smooth render and decorative detailing introduces a greater degree of formality to the site boundary than previously existed, and greater than is common locally. Even so, the surrounding built environment is sufficiently varied that the development is accommodated within its character.
9. Moreover, the formal appearance of the development does not alter its fundamental essence. It is a tall front boundary enclosure and, in that respect, is one of several enclosing the track. Though different in design, the fences, walls, and gates at Woodhill Farm, Lambardes Close, Atrium, and at the corner of Elm Hollow have a cumulative effect on the character and appearance of the track, giving it a private, secluded feel to which the development adheres.
10. Whilst the development has led to the removal of tall, established greenery at the front of the site, I have no evidence that the greenery lost was of particular amenity value. New planting has been provided as part of the development and, though it

does not screen views of the development, it softens its appearance and assists in integrating it into the setting. I recognise that the longevity of the planting cannot be presumed but, given the extent to which provision for planting has been made within the development, I have no reason to believe that the appellant would be likely to remove it either, particularly once it is established.

11. Even if the site were considered to abut the Green Belt for the purposes of Policy 53 of the Bromley Local Plan (2019), the adjacent designated area comprises the southernmost part of the track and solid fencing enclosing residential gardens, beyond which are detached houses. The track is broadly enclosed, and not characterised by views across, or from, open land. In this context, and for the same reasons that the development does not harm the character and appearance of the area as described above, so too it does not harm the visual amenity or character of the adjacent Green Belt area. The requirement to ensure no detrimental effect on the nature conservation value of the adjacent area can, as set out in the Council officer report, be met via planning condition.
12. The development has no harmful effect on the character and appearance of the host dwelling and the area. Accordingly, I find no conflict with Policies D4 and G2 of the London Plan (2021) or Policies 37 and 53 of the Bromley Local Plan (2019), which require of development a high standard of design and layout, and the avoidance of detriment to adjacent Green Belt areas.

Other Matters

13. I acknowledge concerns over the accuracy of the plans, including in respect of landownership. I see no evidence that any discrepancy in these respects is material to the main issue in this appeal and have based my determination on the plans that were before the Council, and upon which it based its decision, therefore.
14. I also appreciate neighbours have objected to the retrospective nature of the application and appeal. However, my assessment of the proposal is based on its merits.

Conditions

15. I have imposed a condition requiring compliance with the submitted plans in the interests of clarity, but not imposed a three-year time limit for implementation, or required the use of materials to match the existing building. These are unnecessary given the work has already taken place, and the approved plans specify finishes. I have imposed further conditions requiring the implementation of drainage, landscaping, and biodiversity schemes to ensure the provision of an acceptable development in those respects.

Conclusion

16. For the reasons given above the appeal is allowed.

A Knight

INSPECTOR