
Appeal Decision

Site visit made on 14 April 2025

by **C Housden BSc(Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 03 June 2025

Appeal Ref: APP/G5180/W/24/3356415

19 Footbury Hill Road, Orpington, Bromley BR6 0HP

- 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 Mrs S Onodi against the decision of the Council of the London Borough of Bromley.
 - The application Ref is DC/24/01260/FULL1.
 - The development proposed is a proposed dwelling utilising existing access off Footbury Hill Road.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The description of development differs between the application form and the decision notice. I have used the description from the application form in the banner heading of my decision as this adequately describes the proposal, however I have corrected a factual error in relation to the road name in the interests of accuracy and clarity.

Main Issue

3. The main issue is the effect of the appeal proposal on the character and appearance of the area.

Reasons

4. The area predominantly comprises two-storey detached and semi-detached properties with consistent architectural features. Properties are set back into their plots and are situated along a recognisable building line which predominantly follows the pathing of the adjacent roads. The area is suburban in character.
5. 19 Footbury Hill Road comprises a detached single storey property orientated towards Footbury Hill Road, with a side garden situated adjacent to Perry Hall Road. The garden to the side contributes to an open character of the appeal site as a corner plot, provides a pleasant sense of spaciousness in the streetscene and provides separation to the adjacent pavement from built form.
6. The appeal proposal would subdivide the plot and introduce a detached single storey dwelling within the side garden. Whilst orientated towards Footbury Hill Road, the proposed dwelling would be situated well forward of the building line along Perry Hall Road which steps back as you approach the appeal site, and as such, the appeal proposal would appear out of keeping in its positioning compared to the other adjacent properties. The appeal proposal would also substantially erode the open

space of the corner plot between the appeal site and Perry Hall Road which would diminish a gap in the built form which contributes positively to the character and appearance of the area.

7. As a result, the proposed dwelling would appear as a cramped addition within the streetscene and overdevelopment of the plot that would be incongruous with the surrounding pattern of development. As such, the appeal proposal would have a significant adverse effect on the character and appearance of the area.
8. Therefore, I conclude that the appeal proposal would conflict with Policies 4, 8 and 37 of the Bromley Local Plan (2019) (BLP) and Policy D3 of the London Plan (2021) (LP). Amongst other matters, these policies seek to ensure that development is of a high standard of design that positively contributes to the streetscene and local distinctiveness.

Other Matters

9. The appellant has brought to my attention the property at 16 Mountview Road (No 16), a corner plot bungalow situated at the junction with Perry Hall Road, as justification for the appeal scheme. However, the individual circumstances present at the appeal site, including its specific relationship with the wider pattern of development, has meant that I have found harm in relation to the character and appearance of the area. The presence of No 16 does not diminish the harm that I have identified in relation to the appeal scheme which I have assessed on its individual planning merits and reference to this property has not altered my findings in relation to the main issue.
10. The appeal proposal would deliver an additional dwelling. This derives support from the National Planning Policy Framework (the Framework) at paragraph 61 which sets out the Government's objective to significantly boosting the supply of homes. I also note, the Framework at paragraph 73 highlights the importance of small and medium sites in making an important contribution to meeting housing requirements of the area.
11. The appeal proposal would also generate short term economic benefits through the construction of the appeal proposal, and longer-term economic benefits to local shops and services through the introduction of an additional household into the area, which draws support from section 6 of the Framework.
12. The evidence before me shows that the development would create a property which would have good quality living conditions for future occupiers. This derives support from paragraph 135(f) of the Framework.
13. Whilst these matters weigh in favour of the development, given the appeal proposal would make a small contribution of a single dwelling, the benefits in this instance would be limited.

Planning Balance and Conclusion

14. In my assessment I have found that the appeal proposal would be harmful to the character and appearance of the area, which would be significant and long lasting. This results in conflict with the development plan taken as a whole, which I afford significant weight.

15. It is common ground between the parties that the Council cannot demonstrate a five-year supply of deliverable housing sites. The Council's officer report sets out a position of 2.96 years which is not contested by the appellant. As such, the provisions of paragraph 11(d) of the Framework are engaged.
16. As described above, the benefits associated with a single dwelling would be limited, even when taking account of the objective of significantly boosting the supply of housing and the Council's five year housing land supply position.
17. In my assessment, I have found that the appeal proposal would be harmful to the character and appearance of the area, which would be significant and long lasting. The importance of achieving well designed development is a key aspect of sustainable development, which is highlighted by paragraph 135 of the Framework. It is also clear at paragraph 139 that development which is not well designed should be refused. I also note that whilst paragraph 124 of the Framework seeks to make effective use of land, this is to be achieved whilst also safeguarding and improving the environment. Paragraph 129(d) also emphasises the desirability of maintaining an area's prevailing character, including residential gardens. Paragraphs 129 and 135 are key policies for the purposes of paragraph 11(d)(ii) of the Framework. It follows from my findings on the main issue that the proposal would not comply with these policies.
18. As such, I conclude that the adverse effects of granting planning permission would significantly and demonstrably outweigh the benefits when assessed against the policies of the Framework as a whole. Therefore, in this case, the presumption in favour of sustainable development would not apply.
19. In the overall balance therefore, the material considerations in this case, including the approach of the Framework in regard to housing supply, do not indicate that a decision should be made other than in accordance with the development plan. Therefore, I conclude that the appeal should be dismissed.

C Housden

INSPECTOR