



Appeal Decision

Site visit made on 28 May 2025

by **L Gardner MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 09 June 2025

Appeal Ref: APP/G5180/W/25/3359077

2 Barfield Road, Bickley, Bromley BR1 2HS

- 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 M D Estates Ltd against the decision of the Council of the London Borough of Bromley.
 - The application Ref is 24/02959/FULL1.
 - The development proposed is full planning permission for the demolition of the existing dwelling (2 Barfield Road) and the erection of two detached dwellings.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Through the appeal proceedings, the appellant has provided a revised site layout plan, reference DHA/31876/12APP. This demonstrates a reduction in hard standing and car parking provision from a total of four spaces to two spaces. Soft landscaping would subsequently be increased. The appellant has confirmed that the layout is otherwise identical to the proposal considered by the Council.
3. The relevant tests in determining the acceptance of a revised plan include a consideration of whether the plan represents a substantial difference or fundamental change. However, there is also a procedural test to consider as to whether the proposed amendment would cause unlawful unfairness to anyone involved in the appeal. I note that third party representations have made reference to the wider highway network and therefore may have had further representations to make on the basis of the reduced parking provision. I have therefore considered the appeal based on the plans as originally submitted to the Council. To do otherwise would prejudice the interests of third parties.

Main Issues

4. The main issues are:
 - the effect of the proposal on the character and appearance of the area, and
 - whether the proposal would make adequate provision for car parking.

Reasons

Character and appearance

5. The appeal site occupies a relatively prominent corner plot adjacent to a mini roundabout. The surrounding area is mostly formed of detached residential plots.

The appeal site, currently forming a single storey semi-detached property is therefore slightly at odds with the defining characteristics of the area. Nevertheless, the existing dwelling does in some respects read visually as an extension to its two-storey attached neighbour.

6. The corner of the site which meets the highway, and the boundary shared with Thornet Wood Road, features landscaping including tall trees. This corresponds with the dense areas of landscaping in the wider area. There is still visibility of the existing dwelling, both through gaps in the vegetation and given the relatively open shared driveway at the front of the site. However, given its single storey height it forms a relatively discrete feature in the street scene despite its prominent positioning.
7. The appeal proposal would introduce two detached dwellings which, whilst respecting the surrounding area in their detached form, would be on plots which would be conspicuously narrower than others in the immediate surroundings. The dwellings would be set away from the site boundaries with a modest distance in between. Plot 1 would be positioned abutting the shared boundary and would therefore fail to achieve the 1 metre space from its side boundary as required through Policy 8 of the Bromley Local Plan (BLP) (2019).
8. The appellant contends that the partially hipped roof proposed for Plot 2 has been designed to reduce the overall scale and massing of the dwelling and respond to the sites corner positioning. Instead, the contrasting roof forms would draw further attention to the development, emphasising its incongruous and contrived design in comparison to the surrounding area, and give the appearance of Plot 2 being squashed into the site.
9. The appeal proposal would undoubtedly hold greater prominence in the street scene than the existing dwelling owing to the increased height in comparison. Visibility alone does not amount to character harm given the context of the appeal site within an area of two storey dwellings. However, in this case, it would serve to emphasise the contrived and cramped arrangement of the proposal.
10. The appellant has provided examples of varying roof forms within the area. These are all examples of single dwellings which would be interpreted as such. The key difference with the appeal proposal is that the detached dwellings would visually be read together due to the limited separation between the plots and the otherwise matching design features. The contrast in roof forms would therefore be a prominent feature of the development.
11. Photographs have also been provided of separation distances between dwellings along Barfield Road and Thornet Wood Road. However, the precise distances have not been presented. I am also not aware of the circumstances of those dwellings being approved and whether Policy 8 of the BLP was adopted at that time. I have therefore given the photographs very little weight in my decision.
12. Both parties have referred to a similar form of development on the opposite side of Barfield Road where the Council granted permission for the demolition of a bungalow and its replacement with two detached dwellings on a corner plot. This development is a material consideration to my decision. Nevertheless, based on the details provided there are notable differences between that scheme and the appeal scheme before me. These include a greater separation distance between the properties, matching roof forms and lower overall roof pitch heights. In the

context of this main issue, I do not find the development at 1 Barfield Road to be directly comparable to a degree that it would justify the appeal proposal before me.

13. Based on the above, I conclude that the proposal would have a materially harmful impact on the character and appearance of the area. The requirements of Policy 8 of the BLP relate specifically to side spaces. Policies 4 and 37 of the BLP relate more generally to design including requiring proposals to respect local character and complement the layout and form of adjacent buildings and areas. This is mirrored by Policy D3 of the London Plan (LP) (2021) which seeks to enhance local context by delivering buildings and spaces that positively respond to local distinctiveness including through their appearance and shape. It would therefore be contrary to Policies 4, 8 and 37 of the BLP and Policy D3 of the LP.

Parking

14. Policy T6.1 of the LP states that new residential development should not exceed the maximum parking standards set within an associated table. Based on this table taking account of the public transport accessibility of the site, the dwellings should be served by up to one car parking space. There would therefore be an over provision of two spaces. The implications of this are that the occupiers of the dwellings would potentially rely on the convenience of a private vehicle rather than favouring more sustainable modes of transport.
15. I note that the Council did not resist the scheme at 1 Barfield Road based on an over provision of parking. The Council states that the reason for the different approach is that that scheme was inherently acceptable in spatial and design terms. I cannot see the scope for adopting this differing approach to the standards within the policy text.
16. During my site observations, I observed that the majority of the dwellings in the area have large driveways which could accommodate more than one vehicle. Whilst I clearly do not know the number of bedrooms within the neighbouring dwellings, based on the context of the area, the strict application of the standards set within Policy T6.1 appears overzealous.
17. The appeal proposal does conflict with Policy T6.1. However, the inconsistency in the application of the policy at a site in very close proximity is material to my decision. Taking into account the specific site context, I do not consider that the overprovision of car parking would be materially harmful. A lack of harm in respect to this main issue does not overcome the harm that I have identified in respect to the impacts on the character and appearance of the area.

Other Matters

18. Reference has been made by the parties to developments elsewhere within the area including at 124 Blackbrook Lane and 1 Thornet Wood Road. However, these relate to the replacement of single dwellings with another single dwelling. I have therefore identified no direct comparisons to the appeal scheme which would weigh in its favour.
19. The proposed development would harm the character and appearance of the area and would not accord with the development plan. On the other hand, the proposal would represent the development of brownfield land which is supported by the National Planning Policy Framework (the Framework). It would also deliver a net

additional dwelling in a sustainable location with suitable gross internal areas and external garden areas. These represent benefits to the proposal.

20. The Government's objective as set out in the Framework is to support sustainable housing growth. The Council confirm they can only demonstrate a 2.4-year supply of deliverable housing sites. It therefore follows that paragraph 11 d) of the Framework is engaged. In this case it means granting permission 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, having particular regard to key policies including those to secure well-designed places.
21. I find that the adverse impacts on the character and appearance of the area significantly and demonstrably outweigh the benefits associated with one net additional dwelling, when assessed against the policies in the Framework taken as a whole. As a result, the presumption in favour of sustainable development does not apply.
22. I acknowledge the appellant's concerns over the Council's handling of the application. However, this is not a matter that I can consider under a Section 78 planning appeal, in which I have had regard solely to the planning merits of the proposal.

Conclusion

23. I have concluded that the proposal would conflict with the development plan as a whole and there are no other material considerations, including the provisions of the Framework, which outweigh this finding. Therefore, the appeal is dismissed.

L Gardner

INSPECTOR