



Appeal Decision

Site visit made on 11 June 2025

by **S Burch BSc MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 23rd June 2025

Appeal Ref: APP/G5180/W/24/3358075

1 Daleside, Orpington, Bromley, BR6 6EG

- 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 Sairally against the decision of the Council of the London Borough of Bromley.
 - The application Ref is DC/24/02643/FULL1.
 - The development proposed is a detached one-bedroom self/custom-build bungalow on land to the rear of 1 Daleside.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have taken the description of the proposed development from the decision notice, for reasons of clarity. This description matches that used in the appellant's appeal statement.

Main Issue

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

Reasons

4. The appeal site relates to a semi-detached two storey dwelling in Orpington. The site is located on a corner plot at the junction of Daleside and Windsor Drive. Vehicular access is provided to the rear of the site, off Daleside. Surrounding development mainly comprises two storey dwellings of a similar size and style. Properties tend to be set back from the highway, and benefit from long, spacious rear gardens. This creates a sense of spaciousness and contributes to the suburban character of the area.
5. The proposal would result in the creation of a detached bungalow in the rear garden of the host property. The new dwelling would face onto Daleside and access would be provided via an existing vehicular access off Daleside. The existing garage to the rear of the site would be demolished. Parking would be provided for both the host property and the new dwelling, to the rear of the site.
6. The garden of the host dwelling would be reduced significantly in length to accommodate the new dwelling. As a result, its plot would be much smaller than surrounding sites. The plot of the new dwelling would similarly be relatively small in comparison to surrounding development. The new dwelling's garden would be provided to the side of the dwelling, rather than the rear. The proposed size and

layout of both plots would therefore contrast with the prevailing pattern of development, which is generally characterised by long, spacious rear gardens.

7. The proposed footprint of the dwelling would also cover a large proportion of the new plot, with a reduced amount remaining for use as a garden. The amount of plot coverage would be out of keeping with the prevailing pattern of development, as previously described. Overall, the resultant plots would appear contrived, reflecting the overdevelopment of the site.
8. I acknowledge that the proposed footprint is the same as that approved under a Lawful Development Certificate (LDC) for an outbuilding at the site. However, this scheme was for an outbuilding incidental to the use of the dwelling. It did not involve the subdivision of the plot and the creation of a new dwelling, separate from the existing property. For these reasons, I do not find the LDC to be directly comparable and have afforded this limited weight in favour of the appeal.
9. I do not agree that the proposed development would be of matching appearance to the host property and adjoining properties. In any instance, the above considerations do not overcome the harm that I have identified. The use of matching materials similarly does not outweigh the harm identified.
10. For the above reasons, the scheme would represent an overdevelopment of the site. Both the resultant plots would fail to complement the qualities and character of the surrounding area. Accordingly, the proposal would fail to comply with Policies 4 of 37 of the London Borough of Bromley Local Plan (LP). Collectively, amongst other matters, these policies seek to ensure that development reflects the character of the area. It would also fail to accord with Policy D3 of The London Plan which seeks to ensure that development responds to the existing character of a place.

Other Matters

11. The proposal does not involve an extension to the host dwelling. The appellant's reference to this is therefore of limited relevance in the determination of this appeal.

Planning Balance

12. It is accepted that the Council cannot currently demonstrate a 5-year housing land supply. Their appeal statement outlines how an appeal decision from October 2024 (APP/G5180/W/24/3340223) concluded that they had a supply of 2,628 units or 2.4 years. This represents a significant shortfall. There is nothing before me to suggest that there are any policies in the Framework that protect areas or assets of particular importance that provide a strong reason for refusing the development under paragraph 11d(i).
13. Therefore, due to the provisions of footnote 8, the balance in paragraph 11d(ii) applies such that planning 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, having particular regard to specified key policies.
14. Paragraph 135 of the Framework states that planning decisions should ensure that developments add to the overall quality of the area and are sympathetic to local character and history. It can be seen from my findings above that the appeal

proposal would fall short in these respects and would conflict with Policies 4 and 37 of the LP and Policy D3 of the London Plan. As these policies are generally consistent with the relevant aims of the Framework, I attach substantial weight to them.

15. The proposal would deliver one dwelling, representing a minor contribution to the supply of housing within the Borough. The scheme would make efficient use of land and there would be some temporary and ongoing economic benefits arising from the development. A number of new trees would also be planted. Overall, whilst these are important benefits, given the modest scale of the development I attribute limited weight to them.
16. Accordingly, I find that the adverse impacts arising from the development would significantly and demonstrably outweigh the minor weight attributed to the benefits when assessed against the policies in the Framework taken as a whole. The presumption in favour of sustainable development does not apply in these circumstances.

Conclusion

17. The proposal would conflict with the development plan as a whole and there are no other considerations, including the provisions of the Framework, which outweigh this finding. Therefore, for the reasons given above, I conclude that the appeal should be dismissed.

S Burch

INSPECTOR