



Appeal Decision

Site visit made on 18 August 2020 by Emma Worby BSc (Hons) MSc

Decision by Andrew Owen BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 September 2020

Appeal Ref: APP/G5180/W/19/3244027

Pucks Cottage, Hazel Grove, Orpington BR6 8LU

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr and Mrs Pardeep and Kiren Rohilla against the decision of the Council of the London Borough of Bromley.
 - The application Ref DC/19/02682/FULL1, dated 19 March 2019, was refused by notice dated 2 December 2019.
 - The development proposed is the demolition of existing 5-bedroom dwelling and replacement of new 5-bedroom dwelling with integrated garage.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeals Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Application for costs

3. An application for costs was made by Mr and Mrs Pardeep and Kiren Rohilla against the Council of the London Borough of Bromley. This application is the subject of a separate Decision.

Main Issue

4. The main issue is the effect of the proposed development on the character and appearance of the Farnborough Park Conservation Area.

Reasons for the Recommendation

5. The appeal site accommodates a two-storey detached dwelling located within the Farnborough Park Conservation Area (the Conservation Area), which is a designated heritage asset. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended, requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area.
6. The significance of the Conservation Area relates to its historic background, low density, landscape dominance and large individualistic houses which reflects early 20th century suburban developments in the United States. The Supplementary Planning Guidance for Farnborough Park Conservation Area

(SPG) indicates that re-development of individual dwellings may be possible if an existing dwelling does not make a positive contribution to the character and appearance of the Park.

7. It is noted that there are some disparities between the parties as to when the dwelling was constructed. The Council suggest that Hazel Grove was laid out in 1948 and that the core of Pucks Cottage dates from around that time. The aerial photo in the appellant's evidence, which shows no houses built on the land in 1945, is consistent with that. I acknowledge the Council's Conservation Officer states that "*the house shows some fine Arts and Crafts features worthy of retention and this is an original part of the 1920s design*" and goes on to say that "*Many of these 1920s houses have already been demolished*" but these statements seem to relate to the style of the house rather than the date of its construction. Nevertheless, although it is likely that the dwelling post-dated the arts and crafts period, it is one of the original dwellings and its design has been influenced by the other arts and crafts dwellings within the area. These include its modest, informal and unsymmetrical appearance with tall chimneys, a cat slide roof, sprocketed eaves, timber boarded front gable and traditional fenestration, located on a spacious site, which make it an attractive feature on the site and in the surrounding area.
8. The dwelling has undergone some more modern additions to the side and rear, however this does not significantly harm its character and this original dwelling still makes a positive contribution to the character and appearance of the Conservation Area, particularly in the context of the many contrasting larger more modern neighbours in Hazel Grove. Although the dwelling does not carry separate heritage status, the loss of the existing building and its arts and crafts elements would eliminate the positive contribution of the site to the Conservation Area where this style of architecture is widely featured.
9. The proposed dwelling would have a larger, modern and more formal appearance than the current dwelling. Although it is not fully symmetrical, it is more uniform in appearance than the existing dwelling and other similarly original dwellings within the Conservation Area. The proposal would replace a 5-bedroom dwelling with another 5-bedroom property within a similar position on the site, however the rigid and more consistent design of the proposed dwelling would be bulkier and more dominant in appearance than the existing building. As such, although the proposed dwelling would use high quality materials and would be in keeping with the size and design of some other replacement properties within the area, its contribution to the Conservation Area would be neutral.
10. The area features a variety of styles of dwelling and it has been highlighted by the appellant that nine dwellings on Hazel Grove have previously been replaced, some with dwellings similar in design to what is proposed. However, the circumstances of these sites, particularly the nature of the original dwellings, are mostly unknown, and for those examples where images of the original houses are provided, the appellant suggests those properties had no architectural merit. In any case, these developments would not justify the resultant harm to the character and appearance of the Conservation Area which has been identified.
11. Therefore the proposed development would fail to preserve the character and appearance of the Farnborough Park Conservation Area and conflicts with

Policies 7.4, 7.6 and 7.8 of The London Plan (2016) and Policies 4, 37 and 41 of the London Borough of Bromley Local Plan (2019). These collectively seek to ensure new development has a high standard of design and layout, is informed by the surrounding historic environment, conserves the significance of the heritage asset and respects or complements the layout, scale, form and materials of existing buildings and spaces within a Conservation Area. The proposal would also be contrary to the relevant parts of Section 16 of the National Planning Policy Framework (the Framework) regarding the conservation of heritage assets and the guidance within the SPG as discussed above.

12. Policy 41 states that a proposal for a development scheme that will involve the total or substantial demolition of an unlisted building in a conservation area that makes a positive contribution can be judged as causing substantial harm. However, I find the harm is relatively small scale in the wider context of the entire Conservation Area and therefore, having regard to the Framework, the harm to the significance of the Conservation Area is less than substantial. The Framework requires, where there would be less than substantial harm, for it to be balanced against the public benefits of the scheme.
13. Although the appellant indicates that the proposal would provide a good quality home with a better utilisation of floorspace, it is not considered that a replacement dwelling is necessary to achieve this. Therefore, this can only be given minimal weight. It is also stated that the dwelling would help contribute to the shortfall of housing supply and housing mix within the district. However, as the proposal would replace a like-for-like replacement of a five-bedroom dwelling this would not be the case.
14. The more modern replacement dwelling would provide better accommodation for wheelchair users or people with mobility issues to meet the requirements of an adapted building under the Equalities Act 2010. It has not been confirmed as to whether the occupiers of the dwelling currently require these adaptations or it is intended to meet a future need. Therefore, this can only be given moderate weight. It has also been stated that the current building has poor environmental credentials and the proposed development would reduce the carbon footprint of the dwelling. However, no evidence has been provided to demonstrate that the current building's environmental impact could not be reduced in other ways or that its environmental impact is greater than the process of replacing a dwelling. Therefore, this can only be given limited weight.
15. Finally, the economic benefits of the replacement dwelling such as the payment of CIL has been highlighted, along with the self-build nature of the development and potential adverse impact of retaining the existing dwelling upon the economic sustainability of the area. It is not considered that the impact of one dwelling, even if self-build, would provide significant economic benefits or would solely prevent adverse impacts upon economic sustainability. Therefore, this would also be given limited weight.
16. Overall, the public benefits of the scheme do not outweigh the less than substantial harm to the heritage asset previously identified.

Other Matters

17. The appellant has highlighted that the proposal would not impact on the living conditions of neighbouring occupiers and that no objections were received at the application stage. However, these are neutral factors. Similarly, no objection to the demolition of the existing dwelling was received from Farnborough Park Estates Ltd, who also control development within the estate. However, their consideration is a separate matter from the planning process and therefore has little bearing on the outcome of this appeal.
18. The appellant has also stated that permission for purely demolition is not normally required. However, as the appeal site is located within a Conservation Area, permission is required.

Conclusions and Recommendation

19. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal is dismissed.

Emma Worby

APPEALS PLANNING OFFICER

Inspector's Decision

20. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

Andrew Owen

INSPECTOR