

Appeal Decision

Site visit made on 19 September 2016

by Beverley Wilders BA (Hons) PgDurp MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 11 October 2016

Appeal Ref: APP/G5180/W/16/3153119

6A Beaconsfield Road, Bickley, Bromley BR1 2BP

- 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 C Allen (Sterling Developments UK Ltd) against the decision of the Council of the London Borough of Bromley.
 - The application Ref DC/16/00240/FULL1, dated 15 January 2016, was refused by notice dated 16 May 2016.
 - The development proposed is demolition of existing building and erection of 2.5 storey building comprising 4 x two bedroom flats including landscaping, cycle and refuse storage together with associated parking.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposal on:
 - The character and appearance of the area;
 - The living conditions of the occupiers of neighbouring properties having regard to privacy.

Reasons

Character and appearance

3. The appeal site comprises a traditional two storey detached building located within a residential street. The building is offset within the site and has a wide side garden containing a number of trees and shrubs visible from the road. This together with trees within this part of the road gives the area a verdant character. The building is of the same design as the neighbouring property at 4 Beaconsfield Road, though No.4 has had a single storey side extension.
 4. The appeal site is located at a bend in the road meaning that the front boundary of the site and the existing building is forward of the pair of semi detached properties at Nos 8 & 10. This together with the fact that the road rises up towards Clarence Road means that the front part of the site forward of the dwelling at No.8 is prominent in the streetscene. Though the road comprises a mixture of building sizes and designs, most buildings are two storeys in height and present as such to the road.
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5. The proposal to demolish the existing building and to replace it with a larger building with an increased footprint, depth and wall height to the front and rear gables would result in a significant increase in the amount of built development on the site and the loss of the wide side garden area and a number of trees within it. Though the front elevation of the proposed building nearest to No.4 would be set slightly further back than the existing building and whilst the building has a staggered front elevation meaning that the part of the building nearest to No. 8 would be set back even further, it would nevertheless present a much deeper and bulkier front and side elevation to the road than the existing building.
6. I have had regard to the fact that there is variety within the streetscene and some examples of gable features on buildings, however the particular size, design and prominent position of the proposal means that it would be at odds with and out of keeping with the character and appearance of the immediate surrounding area and would represent overdevelopment of the site. I do not consider that the proposal would improve the flow of development along the road as suggested by the appellant and whilst it may use the site more efficiently this at the detriment of character and appearance. Though the loss of the wide side garden area and some landscaping within it would be regrettable, I do not consider that this in itself would necessarily be significantly harmful to the character and appearance of the area subject to the construction of a building of a more appropriate scale and design within it.
7. Taking the above matters into consideration, I conclude that the proposal would have an adverse effect on the character and appearance of the area. It is therefore contrary to policies BE1 and H7 of the London Borough of Bromley Unitary Development Plan (UDP). These policies require development proposals including new housing development to, amongst other things, be of a high standard of design and layout and complement the scale, form and layout of adjacent buildings and areas.

Living conditions

8. The back corner and rear elevation of the proposed building would be positioned close to and slightly angled towards the common side boundary with No.8. The nearest part of the building to No.8 would comprise a three storey gable with a balcony off a second floor bedroom. The balcony would be of a reasonable size, would be largely set within the roof of the gable and would be enclosed at the front by a glass balustrade.
9. No.8 is a semi detached property with a modest sized rear garden mainly laid to lawn and enclosed by timber fencing. Though the sides of the balcony would be enclosed by the gable roof, the angle of the proposed building and its position relative to No.8 means that there would be the potential for significant overlooking of the modest rear garden of No.8 from the proposed balcony. This would be harmful to the living conditions of the occupiers of No.8. I do not consider that the relationship would be similar to that arising from any first floor windows or balconies in any typical suburban environment given the relative position of the balcony and the neighbouring garden and the second floor height of the balcony.
10. Taking the above matters into consideration, I conclude that the proposal would have an adverse effect on the living conditions of the occupiers of neighbouring properties having regard to privacy. It is therefore contrary to

Policy BE1 of the UDP which seeks, amongst other things, to respect the amenity of the occupiers of neighbouring buildings.

Other Matters

11. In reaching my decision I have had regard to the fact that the application was recommended for approval by Council officers and that the principle of residential development on the site is accepted by the Council. I note that the appellant states that the proposed residential units accord with the minimum space standards set out within the Mayor of London's Housing Supplementary Planning Guidance, that it would be within the indicative housing densities set out in the London Plan and that parking and amenity space would be provided for each unit.
12. I have also had regard to the fact that the proposal would provide two additional units of residential accommodation in an accessible location with good access to a wide range of services and facilities. However I do not consider that the modest economic and social benefits that the proposal would provide outweigh the harm that I have identified.

Conclusion

13. For the above reasons and having regard to all matters raised, I conclude that the appeal should be dismissed.

Beverley Wilders

INSPECTOR