
Appeal Decision

Site visit made on 5 January 2017

by Jonathon Parsons MSc BSc(Hons) DipTP Cert(Urb) MRTPI

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

Decision date: 03 February 2017

Appeal Ref: APP/G5180/W/16/3160142
124 Marlow Road, Penge, London SE20 7XG

- 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 Anthony Johnson against the decision of the Council of the London Borough of Bromley.
 - The application Ref DC/16/02654/FULL1, dated 2 June 2016, was refused by notice dated 28 July 2016.
 - The development proposed was originally described as "the demolition of existing garage and the construction of a new 3 bedroom 2 storey house, with basement storey. Total gross area of house 157 square metres. Land subdivided from 124 Marlow Road and under separate title."
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effects of the proposal on (a) the character and appearance of the area and (b) the living conditions of the occupiers of neighbouring dwellings, having regard to outlook, and the future occupiers of the proposed dwelling, having regard to the provision of private outdoor space.

Reasons

Character and appearance

3. The appeal site comprises a roughly square piece of land to the rear of 124 Marlow Road but has a frontage onto Thornsett Road. Despite some alterations and extensions to properties, the houses on Thornsett Road are generally similar in terms of architectural detailing, building form, roof shape, footprint and building line relative to the road. Consequently, there is a distinctive rhythm and uniformity to the street scene by reason of the original design of dwellings being mainly retained. These qualities give rise to an attractive character and appearance.
 4. The proposed dwelling would be positioned in accordance with the building line along Thornsett Road but it would be of relatively short depth compared to the dwellings in the road. Furthermore, there would be only a small gap between the rear of the dwelling and the site boundary behind by reason of the size of the plot. This would give rise to a visually close and cramped relationship because of the height and extent of development especially given that other dwellings in the road have substantial frontage and rear garden areas.
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Additionally, the fenestration, bay entrance and roof form would be markedly different from the distinctive design of the dwellings in Thornsett Road. For all these reasons, the proposed dwelling would adversely the rhythm and uniformity of the road.

5. The National Planning Policy Framework states attempts should not be made to impose architectural styles or particular tastes but also that it is, however, proper to seek to promote or reinforce local distinctiveness. In this case, it would be appropriate to promote or reinforce local distinctiveness given the attractiveness of the original dwellings along Thornsett Road.
6. There is an existing garage on the site positioned forward of the building line and it is unsightly by reason of its dilapidated state. However, it is a small scale building and the proposed dwelling would be considerably larger in size, scale and height. Therefore, the proposed dwelling would have a considerably greater impact on the area in comparison.
7. In conclusion, the development would harm the character and appearance of the area for these reasons. Accordingly, the proposal would be contrary to policies H7 and BE1 of the London Borough of Bromley Unitary Development Plan (UDP) 2006, and Policies 3.5, 7.4 and 7.6 of the London Plan 2016, which collectively and amongst other matters, require design to be high quality in terms of site layout, buildings and space, and for development to complement the scale, form, layout and materials of adjacent buildings and not to detract from the existing street scene.

Living conditions of neighbouring residents

8. The proposed dwelling would be sited a significant distance from those on Marlow Road. It would be closer to the neighbouring dwelling in Thornsett Road but it would flank the frontage area of this property and not a more sensitive rear garden area. However, the proposed dwelling would back onto the rear garden of 126 Marlow Road where it would only be set back by a distance of approximately 2.5m. Given the mainly two storey scale and considerable width of the dwelling, there would be an overbearing and dominating impact on a significant part of the neighbour's garden.
9. In conclusion, there would be harm to the living conditions of the occupiers of a neighbouring dwelling for these reasons. Accordingly, the proposal would be contrary to policies H7 and BE1 of the UDP, which collectively and amongst other matters, require development to respect the living conditions of neighbours and ensure their environments are not harmed.

Living conditions of future residents

10. The dwelling would have private outdoor space mainly confined to the front and side of the dwelling adjacent to 124 Marlow Road. Some of the frontage could be required for vehicle parking which is not shown on the submitted details. However, there would still be some private open space for the occupiers outside of the possible hardstanding areas for parking. Part of this would be located away from the street where some privacy could be secured for occupants of this dwelling in the form of appropriate fencing, walling or hedging.
11. For these reasons, there would be sufficient quality and quantity of private open space for future residents, even if the dwelling was occupied by a family.

Accordingly, the proposal would comply with policies H7 and BE1 of the UDP which collectively and amongst other matters, requires development to respect the living conditions of future occupants of dwellings and there to be adequate private outdoor space.

Other matters

12. My attention has been drawn to an allowed appeal for a dwelling in Cambridge Road and a planning permission for a dwelling in Marlow Road. However, the appeal dwelling would be sited close to a rear site boundary in comparison. Both of these other streets also do not have such a distinctive and attractive rhythm and uniformity as the Thornsett Road. In Marlow Road, there are traditionally styled dwellings but they are not as architecturally detailed as those on Thornsett Road. In Cambridge Road, the dwelling would be adjacent to another recent dwelling with less architectural detail. Consequently, there are reasons to distinguish this appeal proposal from these schemes. In any case, every appeal proposal must be considered on its particular planning merits.
13. The proposal would make a contribution to housing supply within Bromley. However, this contribution would be small and so would not outweigh the identified harm to the character and appearance of the area and the living conditions of residents. For these reasons, it would not be sustainable development.

Conclusion

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

Jonathon Parsons

INSPECTOR