

Appeal Decision

Site visit made on 28 February 2017

by Patrick Whelan BA(Hons) Dip Arch MA MSc ARB RIBA RTPI

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

Decision date: 28th March 2017

Appeal Ref: APP/G5180/W/16/3164398

Greenwood, Bickley Park Road, Bickley, Bromley BR1 2AT

- 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 D Hancock against the decision of the Council of the London Borough of Bromley.
 - The application Ref DC/16/04099/FULL1, dated 31 August 2016, was refused by notice dated 31 October 2016.
 - The development proposed is the demolition of existing dwelling; erection of 8no. 2 bedroom apartments and associated works.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Since the appeal was made and after considering additional material from the appellant, the Council no longer contests the third reason for refusal concerning highways matters. I have no reason to disagree with its position.

Main Issue

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

Reasons

4. Greenwood is a house of substantial size in the Bickley Area of Special Residential Character (ASRC), a distinctive, spaciouly laid-out, inter-war suburb characterised by large detached houses set in long plots with varying lateral gaps between adjacent houses. Like many of the immediately neighbouring houses, Greenwood is a wide house extending close to the side boundaries of the plot.
 5. I appreciate the Council's concern about increasing the bulk of the building, particularly at roof level. However, the proposed enlargement would retain the characteristic lateral gaps to the side boundaries and the overall height would be similar to that already approved. I acknowledge that the envelope of the building would increase but, given the size of the plot and the footprints and heights of neighbouring houses, the increase would not appear significantly greater than development already consented, nor out of keeping with the scale of development in the area. Some of the secondary roof forms and some modelling would be lost; however, overall, the design of this proposal would be
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similar in appearance to the consented building, retaining an ordered arrangement and a balance of mass.

6. I note the amount of car-parking indicated in the proposal, however, in terms of appearance, the amount of hardscape would be little different to the present landscape in front of the house. Given the planting and enclosure proposed on the back edge of footway and the availability of parking space already on-site, there would be no harm from the parking layout to the appearance of the street scene or to the character of the area. Though the resulting building would be larger than the existing, I can identify no harm from its appearance to the ASRC.
7. However, notwithstanding this, in the context of the pattern of development in this part of the ASRC, the development of a block of flats would be at odds with the prevailing dwelling typology which is characterised by wide, detached houses on large plots. The development would result in a character of development with a density far higher than that which characterises the area. This anomaly would undermine the distinctive and cohesive character of the ASRC.
8. The intensity of use of the plot by eight households would be far greater than the use by a single household. The amount of comings and goings at the front of the proposal would be many times greater than those at the front of the neighbouring houses which appear not to have been sub-divided into flats. The number of occupancies sharing the frontage for parking would result in an uncharacteristically high number of vehicle movements, at odds with the lesser number of movements associated with the occupation of a single dwelling which is a characteristic of the pattern of development in the ASRC. Similarly, the use of a back garden shared by eight occupancies is likely to be uncharacteristically intense when compared to the single occupancy use of the neighbouring houses.
9. I note the appellant's point that the density of development would be in accordance with the range indicated under Policy 3.4 of the London Plan 2015. However, the accordance of the proposal with that Policy does not undo the harm which would result when considering the context of the proposal and the requirements of Policy H10 of the Unitary Development Plan 2006 (UDP).
10. I have taken into account the appeal decision¹ granting permission for flats at Durley Lodge, however this is a substantial distance further along Bickley Park Road, where as the Inspector concluded, that part of the ASRC has a mixed character, including developments of flats immediately adjacent to both sides of that plot. The area of the ASRC in which the appeal site stands has a more cohesive character of detached houses, which is enhanced by the undeveloped edge of the cricket ground on the opposite side of the street from the site.
11. I acknowledge the care in giving the building the appearance of a large house and the concealment of the storage areas and balconies to the rear, away from the street scene; however, this does not outweigh the harm from the intensity of use.
12. While I have found no harm from the proposed development's appearance, and no conflict with UDP Policies BE1 and H7 in that regard, it would be contrary to

¹ Appeal Ref: APP/G5180/W/16/3143793

UDP Policy H10 which requires development to respect and complement the established qualities of the ASRC. It would be at odds too with the Framework² which says that decisions should aim to ensure that developments respond to local character and reinforce local distinctiveness. It would be contrary to advice in the Planning Practice Guidance³ which advises that development should seek to promote character in townscape and landscape by responding to and reinforcing locally distinctive patterns of development.

Other Matters

13. The appellant considers that the Council cannot demonstrate a 5 year supply of deliverable housing sites, referring to an appeal decision⁴ in May 2016. While the Council refutes this and refers to its more recent supply calculations, the appellant challenges the assumptions and calculations in the Council's latest position. However, even if I were to conclude there is a shortfall in 5 year supply of the scale suggested by the appellant, and that relevant policies for the supply of housing should not be considered up-to-date, the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits.
14. I have considered the effect of the proposal on the light received by the occupiers of Aldeen, however, given the present separation between the two houses and the location of habitable room windows, there is no evidence that the development would result in a materially harmful loss of light to the occupiers of Aldeen. Given the degree of mutual overlooking commonly accepted between adjoining plots in built-up areas and the amount of planting on the side boundaries of the plot, any additional overlooking of the adjoining back gardens of surrounding occupiers would not be harmful.
15. I note the concerns raised regarding highway safety, congestion and parking pressure, however, the off-street parking would comply with the development plan, and the appellant's Road Safety Audit suggests that appropriate conditions could make the development acceptable in road safety terms.

Conclusion

16. Whilst the proposed development would provide a significant benefit of seven additional dwellings to local housing supply in accordance with paragraph 47 of the Framework, this is outweighed by the unacceptable harm it would cause to the character of the area, which is in clear conflict with the policies of the development plan. For the reasons given above, and taking account of all matters raised, I conclude that the appeal should be dismissed.

Patrick Whelan

INSPECTOR

² National Planning Policy Framework, paragraphs 58 and 60

³ Planning Practice Guidance, DCLG 2014 as amended, paragraph:007, ID 26-007-20140306

⁴ Appeal Ref: APP/G5180/W/16/3144248