

Appeal Decision

Site visit made on 14 March 2017

by A A Phillips BA(Hons) DipTP MTP MRTPI

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

Decision date: 19 April 2017

Appeal Ref: APP/G5180/W/16/3163580
132 Crofton Road, Orpington BR6 8JD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Aventier Land Bank against the decision of the Council of the London Borough of Bromley.
 - The application Ref DC/16/02147/OUT, dated 29 April 2016, was refused by notice dated 18 August 2016.
 - The development proposed is demolition of the existing dwelling and detached garage and erection of a detached building comprising 9 flats (5 x 3 bed, 2 x 2 bed and 2 x 1 bed) with vehicular access from Crofton Lane to serve 9 car parking spaces.
-

Decision

1. The appeal is dismissed.

Procedural Matter

2. The application was submitted in outline with detailed matters relating to appearance and landscaping reserved. I have therefore dealt with this appeal on that basis, considering the plans and additional details submitted as illustrative except where they relate to access, layout and scale.

Main Issues

3. The main issues are the effect of the proposed development on:
 - i. the character and appearance of the area; and
 - ii. highway safety

Reasons

Character and appearance

4. The appeal site is currently occupied by a large detached bungalow with accommodation in its roof space in a substantial plot of land adjacent to the junction of Crofton Road and Crofton Lane. There is extensive mature planting along the boundaries which, along with additional boundary treatment including a brick wall and panelled wooden fence restrict full views of the property from outside the site. However, there are some views between the planting and the existing accesses to the property from Crofton Road and Crofton Lane. It is a verdant, attractively landscaped site which contributes positively to the character and appearance of the residential area.
-

5. There is a variety of single and two storey residential properties of different styles and designs in the area, most of which are set within relatively large plots with the buildings set back from the highway frontage. The mature planting in gardens and in the vicinity of the site, including the trees along Crofton Lane and Crofton Road also enhance the verdant and spacious character and appearance of the locality.
6. I am aware from the evidence before me that the site has been the subject of several planning appeals for different residential proposals. I consider the appeal decisions and, in particular, the 2016 decision¹ to be particularly relevant in the determination of the current appeal. In that case, with regard to character and appearance, the Inspector raised concerns regarding the significant bulk of development, extent of hardstanding, footprint of the proposed building and the loss of greenery. Some of these matters remain concerns of the Council in their determination of the current proposal.
7. The site makes an important contribution to the character and appearance of the locality and is in a prominent location adjacent to a busy road junction. The existing open space around the building forms an important verdant landscaped garden setting which reduces the prominence and visual impact of the building on its surroundings. Therefore, the existing site with limited hardstanding areas, open spaces, extensive landscaping and relatively low key buildings successfully contribute positively to the quality of the surrounding residential area. Furthermore, the relationship of the existing site and buildings to 130 Crofton Road serves to highlight the importance of spaces between buildings in the locality and highlights the verdant character of the site and its neighbours.
8. In terms of overall scale, bulk and massing, the proposed building would be larger than the existing building. This is shown by its three storey form, its width, height and increased roof massing. The amount of built form on the site would significantly increase over a significant footprint. The dimensions would be much greater than the existing two storey property, which includes its second storey in the roof space. I note that efforts have been made to reduce the overall height of the building such as reducing the ground level. However, this does not sufficiently mitigate the harmful impact of such an increase in scale on the site and its immediate surroundings.
9. Furthermore, having considered the current proposal in the light of the scheme that was dismissed at appeal in November 2016 I do not consider that the proposal has been sufficiently altered to overcome concerns about the effect of the scale and massing of the building which would be at odds with the character of the surrounding residential area.
10. The property would encroach towards Crofton Road when compared to the existing building and the visual impact of this would be highlighted by the extent of hardstanding between the building and Crofton Road. This hardstanding would cover a substantial part of the total area of the appeal site. Consequently, although the boundary screening would be retained, the combined effects of amount of building and hardstanding in this location would certainly materially and harmfully alter the character of the site and its relationship with its surroundings and Crofton Lane, in particular from where the building and associated hardstanding area would be most evident.

¹ APP/G5180/W/16/3150392

11. The actual amount of amenity space provided is not on its own a matter of concern. However, the combined effects of the scale and massing of the building, the extent of car parking areas and the limited remaining space available for the amenity requirements of future residents all contribute to a proposal which would be at odds with neighbouring properties and the area, generally. It would be an overdeveloped site with a cramped form of new development, out of character with and harmful to the visual appearance of the area.
12. Therefore, on this issue I conclude that the proposal would be harmful to the character and appearance of the area and would conflict with the design requirements of Policies H7 and BE1 of the Unitary Development Plan July 2006 (the UDP) and the National Planning Policy Framework (the Framework). These require good design and layout, with all new development making a positive contribution to the area in which it is located. In particular the site layout, buildings and space about buildings should be designed to a high quality and recognise and complement the qualities of surrounding areas and development should be attractive to look at, should complement the scale, form and layout of adjacent buildings and areas, among other things.

Highway safety

13. The proposed increase in the number of residential units from one to nine would undoubtedly lead to a significant intensification in the use of the Crofton Lane access should this appeal be allowed, although I understand that the existing Crofton Road access would be closed.
14. I observed on site that Crofton Road and Crofton Lane are both busy roads and at the time of my mid-week late morning site visit there was an almost constant stream of traffic in the vicinity of the junction situated adjacent to the appeal site. I understand that at busy times of the day there are often queues on the approaches to the roundabout at the junction of Crofton Lane and Crofton Road. This is particularly true in the morning and evening rush hours and around the times that nearby educational establishments, including primary and secondary schools, open and close.
15. The site is located in an area where the Public Transport Accessibility Level (PTAL) is 2, which is relatively low, meaning that although there are some bus services in the vicinity of the site and it is approximately one kilometre from Orpington Station, residents are likely to own their own private vehicles. A total of nine car parking spaces are provided on site which is in line with the parking standards set in the UDP. However, there is no additional provision for visitors or other vehicles. A bay would be provided adjacent to the proposed bin store for delivery vehicles, but given the restricted number of parking spaces this may well be used as an additional parking space by residents and visitors. Therefore, any additional parking on site may restrict the movement of vehicles within the site and may lead to hazardous conditions near to the access should vehicles attempt to manoeuvre in reverse onto the highway. However, the provision of visitor spaces would potentially intensify further the use of the proposed access, leading to further concerns with regard to the effect on highway safety.
16. Parking surveys submitted with the application show that there is demand for on-street parking in the vicinity of the site. At the time of my site visit on-street spaces were available along Crofton Road and Crofton Lane. However,

some of those spaces near to the site are situated close to the roundabout where parking may obstruct the safe and efficient movement of traffic in a busy and sometimes congested area. Other spaces in the area would require pedestrians to cross the road to access the appeal site, although there is a pedestrian crossing with dropped kerbs, tactile paving and a central island close to the site. However, I consider that the potential increase in parking levels on busy roads near to the roundabout to be the prevailing concern on this issue.

17. The swept path analysis shows that vehicles can enter and exit the site in forward gear. However, the space available for manoeuvring vehicles is restricted. Private cars turning left into the site would have to swing out towards the centre line of Crofton Lane and it also appears that delivery and rubbish collector vehicles would swing out onto or over the centre line. Both of these manoeuvres could be hazardous on the approach to a bend in Crofton Lane. The swept path drawings also show other apparent restrictions such as the delivery and rubbish collector vehicle encroaching into the boundary landscaping when reversing into the service bay and private cars using parking space No 6 reversing into the landscaped site boundary with Crofton Lane in order to manoeuvre around the site to leave in forward gear. These points illustrate the limited amount of space that would be available for vehicles using the site, which may lead to unsafe manoeuvres into and out of the proposed access as well as within the car parking area proposed.
18. Therefore on this issue I consider that the proposal would be harmful highway safety and would conflict with the provisions of Policy T18 of the UDP which seeks to ensure that road safety is not adversely affected by development.

Other matters

19. The appellant has commented that, based on a delegated report for a nearby development in Orpington, the Council does not have an adequate five year supply of housing land. However, this claim is not supported by any evidence whatsoever. Therefore, for the purposes of determining the current appeal I do not consider the relevant development plan policies affecting the supply of housing to be out-of-date.
20. Nonetheless, I have considered the benefits of the proposal in providing an additional nine new homes to the Borough, including the social benefits and contribution to the economic wellbeing of the Borough. Furthermore, the site is previously developed land and is in a sustainable location with good access to services, employment, open space and recreational opportunities. However, these matters do not outweigh the harm I have identified above with regard to the character and appearance of the area and highway safety.

Conclusion

21. Therefore, for the reasons given above and taking into account other matters raised I conclude that the proposal conflicts with the development plan taken as a whole and that the appeal should be dismissed.

Alastair Phillips

INSPECTOR