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## Appeal Decision

Site visit made on 4 July 2017

**by Gwyn Clark BSc DipTP MRTPI**

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

**Decision date: 9<sup>th</sup> August 2017**

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**Appeal Ref: APP/G5180/W/17/3173100**  
**Grangewood Lane, Beckenham BR3 1NT**

- 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 Robert Hyland against the decision of the Council of the London Borough of Bromley.
  - The application Ref DC/16/04982/FULL1, dated 27 October 2016, was refused by notice dated 9 January 2017.
  - The development proposed is erection of a 2-bedroom detached single storey dwellinghouse on empty plot with associated landscape works.
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### Decision

1. The appeal is dismissed

### Main Issues

2. The main issues in this appeal are the effect of the development on (i) the character and appearance of the area and (ii) the living conditions of immediate neighbours.

### Reasons

#### *Effect on the character and appearance of the area*

3. The proposed dwelling would be constructed on a narrow strip of land situated at the very end of Grangewood Lane. The site is overgrown and unused, apart from a small car port situated at the front. The houses surrounding the appeal site are all substantial two or three storey properties set within gardens of varying sizes. The new dwelling in contrast would be a single storey, modestly sized dwelling, linear in shape, and taking up the full width of the plot. A small area of garden/amenity space would be provided mainly at the front where turntable parking would also be accommodated.
4. In response to the narrowness of the site the proposed dwelling has been imaginatively designed and is of a particularly high standard. When viewed from the Lane it would present a uniquely designed contemporary dwelling with its own distinctive character. The materials proposed have been carefully chosen to complement the surrounding area and the combination of horizontal timber fencing facing the Lane, blue brickwork and a grey roof would allow the building to recede subtly into the background.

5. Policies BE1 and H7 of the London Borough of Bromley Unitary Development Plan (UDP) in combination seek to encourage a mix of housing types that are designed to a high standard are attractive to look at and complement buildings in their surrounding area. Although only single storey in height and set amongst much larger houses the dwelling proposed would nevertheless display a high quality of design and would help to broaden the mix of houses. Consequently I find that the development would be consistent with policies BE1 and H7 of the UDP.

*Effect on the living conditions of neighbours*

6. When viewed from the row of newly constructed houses on Century Way and the two houses currently under construction on Copers Cope Road the appearance of the dwelling would be quite different. While there is an existing high fence topped with a trellis marking the boundary, the flank walls of the house would be higher still. The height varies slightly across the site but the details provided indicate that it would be consistently over 2.8 metres, and by adding the two raised skylights the overall height is increased to over 3.6 metres.
7. The row of terraced houses Nos 13 to 17 Century Way is set at a slight angle to the boundary and so the distance from these houses to the side wall of the proposed dwelling would vary. When measured from the rear face of No 14, the submitted details show that the side wall of the new dwelling would be over 9.5m away. For No 15 Century Way this distance reduces to just over 9m. However for No 17 Century Way drawing Ref 518/19 indicates that this distance would be less than 7m. At this point, drawing Ref 518/20 shows that the flank wall of the proposed house would be over 3m high and the overall structure, taking into account the added skylight, would be over 4.0m in height. The two houses on the other side, at Copers Cope Road, are similarly offset at an angle to the boundary. They also have relatively shallow rear gardens and a similar relationship with the proposed dwelling.
8. Due to this height and close proximity the new house would have an imposing, overbearing and oppressive effect upon its neighbours. This effect would be particularly severe for the occupiers of the closest of the houses, No 17 Century Way, who would suffer a significant loss of outlook, and due to the orientation of the houses, some overshadowing of the rear garden. For this reason substantial harm would be caused to the living conditions of the occupiers of the neighbouring houses and the development would consequently fail to meet policy BE1 (iv) and (v) of the UDP, which seeks to ensure the amenity of neighbours is unharmed. It would also prove contrary to the advice contained within the National Planning Policy Framework which, in its Core Planning Principles, encourages development to provide a good standard of amenity for all existing and future occupants of buildings.

## **Conclusion**

9. I have considered this appeal within the context of the National Planning Policy Framework which establishes a presumption in favour of sustainable development and which also encourages a high standard of design. I attach significant weight to the innovative design and choice of materials for the proposed dwelling and the fact that it would offer accessible accommodation, be energy efficient, widen the mix of houses available and contribute towards meeting the need for new houses, and in particular smaller dwellings, in the

area. I have also taken into account that the proposed development would offer a viable use for this vacant site, offer a level of surveillance at the end of the Lane and lead to an improvement in its general appearance.

10. These factors do not outweigh the substantial harm that I have identified in respect of the effect of the development upon the living conditions of neighbours. Other concerns have also been raised by interested parties, including the loss of trees, parking and access arrangements and restrictive covenants. However it is not necessary for me to consider these issues further, as they would not alter my overall conclusion. I do not attach weight to the fact that the original Officer recommendation to the Council was to grant planning permission because in this appeal I consider the decision of the local planning authority. Overall I consider the dwelling to be in such close proximity to its neighbours that despite being only single storey in nature this would have a significant detrimental effect on living conditions and consequently I dismiss the appeal.

*Gwyn Clark*

**INSPECTOR**