



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: 9th August 2017

Appeal Ref: APP/G5180/W/17/3173057
85 Royston Road, Penge SE20 7QW

- 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 William McLachlan against the decision of the Council of the London Borough of Bromley.
 - The application Ref DC/16/04224/FULL1, dated 8 September 2016, was refused by notice dated 27 February 2017.
 - The development proposed is construction of a three storey building for the provision of six residential units.
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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 upon (i) the character and appearance of the area, (ii) the living conditions of neighbours with regard to a loss of privacy and visual impact, and (iii) whether or not it would provide an appropriate standard of accommodation for its potential future occupiers.

Reasons

Effect upon the character and appearance of the area

3. The appeal site is a vacant plot of land lying between Royston Hall, a large imposing Victorian building which is the home of the Penge and District Trade Union & Social Club, and the end gable of No 81/83 Royston Road. The site was formally occupied by an extension to the Club which has now been demolished. A short, narrow lane leads from the junction of Royston Road/Westbury Road to the Club car park. The appeal site stands on one side of this lane. On the other side stands the gable of No 1 Westbury Road and its rear garden.
4. The proposed block of flats would be set back within the site to allow for frontage car parking and set at a slight angle orientated towards the Royston Road/Westbury Road junction. In this position it would be very prominent in the vicinity of the junction and largely in view for some distance along Royston Road.
5. The houses along both Royston Road and Westbury Road are of a broadly similar character. The streets comprise two storey terraced houses/maisonettes

with small front gardens set behind low brick walls. Many of the gardens have shrubs and small trees that provide a very open and natural character to the street scene. The houses are designed with either a ground floor bay window alongside an arched front porch, aligning vertically with the windows at first floor and a simple dual pitched roof, or the bay is extended to the first floor and capped with a small gabled roof. This creates an attractive, balanced and distinctive appearance to the street which has a very strong rhythm.

6. The proposed block of six flats has been designed in a contemporary style. It features a cantilevered first floor in brick and a recessed second floor clad in copper. The distinctive layering of the floors would mirror the strong horizontal alignment of the houses along Royston Road and Westbury Road, and the height and bulk of the building would not appear out of place. Similarly the windows and balconies of the new block would align vertically reflecting the vertical emphasis and rhythm found in the wider area. Windows to the main elevation of the flats would be recessed to create a 3-dimensional quality to the building reflecting the heavily modelled quality of the more traditional houses around. A fully glazed rectangular stairwell serving the flats is a bold feature that would stand alongside the similarly shaped rendered block that provides the Club with an emergency stairway exit.
7. At ground floor however the design loses its integrity. It would be dominated by frontage car parking accommodated under the cantilevered roof of the first floor. Although sections of glass brick have been inserted into the front facing wall it would nevertheless appear sterile and utilitarian. There is little opportunity for meaningful landscape planting which gives the development a rather cramped appearance. This is in stark contrast to the character of the houses around the appeal site that feature a strong and legible ground floor with a prominent focus placed upon the entrance and where modest frontage landscaping is an important feature.
8. Consequently the development would cause material harm to the character and appearance of the area. For this reason I find that the proposed development fails to meet the requirements of policy BE1 and H7 of the London Borough of Bromley Unitary Development Plan (LBBUDP), with policies 3.5 and 7.4 of the London Plan and the commitment to good design contained within the Supplementary Planning Guidance No 1 and 2.

Effect upon living conditions of neighbours

9. Part of the new building would be set facing, at a slight angle, towards the gable end of No 1 Westbury Road and part overlooking the rear garden of this property, with just the narrow lane separating the two. A line of large deciduous trees currently stand along the boundary. When in leaf these trees would provide an effective screen. However when not in leaf the garden would be significantly overlooked.
10. Some attempt has been made to lessen the opportunity for overlooking by arranging the accommodation particularly at second floor so that bedrooms and bathrooms windows face in the direction of the neighbour. However the level of overlooking would nevertheless be significant. This would include overlooking afforded from windows in both upper floors of the block which are provided with 'Juliet' balconies, and also from the glazed stairwell. This level of overlooking would substantially harm the living conditions of the occupiers of

No 1 Westbury Road and consequently the proposal would fail to meet the requirements of BE1 of the LBBUDP in regard to respect for neighbours privacy.

The standard of accommodation provided

11. The Council has pointed to a shortfall of outside amenity space when measured against the Private Open Space Standards found in the LBB Housing Supplementary Planning Guidance. However this shortfall is not quantified.
12. There is opportunity provided for some outdoor amenity activity in the form of the triangular shaped area of land set aside for this purpose to the rear of the flats. There is also a recreation ground located nearby. I take account of the fact that the flats have been designed to a high standard, some with balconies.
13. There is not, however, any evidence before me to support the assertion or to demonstrate that the amount of outdoor amenity space provided is inadequate to meet the reasonable needs of the residents of the flats. Therefore taking all these matters into consideration I do not find harm has occurred for there to be a conflict with policies found within the development plan in relation to this matter.

Conclusion

14. Some success has been achieved in designing a contemporary building that would sit comfortably with its more traditional surroundings. I have also taken into account the fact that the flats have been designed to Lifetime Home standard and are of a particularly high quality, accessible to people of all abilities. Also that the block is suitably proportioned within the site and that an appropriate distance is maintained around the building. I take account of the fact that this scheme is a reduction in the number of flats previously proposed for this site and that the six flats that would be provided would make a valuable contribution toward meeting the need for this type of accommodation in the local area. I have also taken into account the development on land to the rear of 84-88 Ravensworth Road but consider on the information before me that the two sites are not directly comparable.
15. I have not given weight to the concerns expressed over land ownership as this is a private matter between the two parties to resolve. Local concerns have also been expressed including over parking and access, and the possible effect on the future use of the adjoining Club. However, due to my findings above, it is not necessary for me to consider these issues further, as they would not alter my overall conclusions. I do consider that the appeal proposal overall would have a significant harmful effect upon the character and appearance of the area due to the discordant ground floor elevation, and upon the living conditions of the occupiers of the neighbouring property, No 1 Westbury Road, due to a loss of privacy resulting from overlooking. These harmful effects are not outweighed by the benefits I have identified and taking all other matters into consideration I conclude that the appeal should be dismissed.

Gwyn Clark

INSPECTOR