
Appeal Decision

Site visit made on 7 November 2017

by Graham Chamberlain BA (Hons) MSc MRTPI

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

Decision date: 28th November 2017

Appeal Ref: APP/G5180/W/17/3181001

Garages adjacent 19 Howard Road, Bromley BR1 3QJ

- 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 Mrs Moyra Ward against the decision of the Council of the London Borough of Bromley.
 - The application Ref DC/17/00769/FULL1, dated 20 February 2017, was refused by notice dated 9 May 2017.
 - The development proposed is demolition of existing garage block and erection of 2 x 1bed apartments with associated parking.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this appeal are:
 - The effect of the appeal scheme on the character and appearance of the area; and
 - Whether the proposed development would provide adequate living conditions for future occupants, with particular reference to amenity space.

Reasons

The effect of the appeal scheme on the character and appearance of the area

3. Howard Road is predominately characterised by attractive terraced and semi-detached properties that are arranged to front the tree lined street in clear building lines and behind small front gardens. Parking tends to be on-street. As such, there is a discernible and pleasing pattern to the development in the road. This consistent pattern in the layout of the street is reinforced by the harmonious period style of the properties around the appeal site, with similar house types replicated in small groups¹. Of particular note is the attractive period detailing in the form of chimneys, ornamentation around the doors and windows and the use of balanced and well-proportioned elevations. The latter is particular evident in the nearby semis.
4. The appeal site currently encompasses a single storey garage block accessed from Howard Road. To the rear is a recently constructed development. Neither the existing garage block, nor the new development behind,

¹ As demonstrated in the appellant's review of the 'local vernacular' – Appendix H of her Statement of Case

harmonises with the scale, appearance or layout of the development in Howard Road. As such, the redevelopment of the appeal site presents an opportunity to enclose and improve the street scene.

5. The appeal scheme is for the demolition of the existing garage block and the erection of two maisonettes. A parking space would be provided for each property and these would be located to each side of the building. The parking space on the north eastern side of the proposed maisonettes would be under a balcony.
6. The concept of designing the appeal building to appear as semi-detached houses arranged to face the street whilst exhibiting design cues from nearby buildings is a sound one. This is especially so given the strong pattern of development in the street which, on the south eastern side and immediately adjoin the appeal site, is characterised by a short row of semi-detached properties.
7. Nevertheless, the proposal would present an unbalanced, sparsely detailed and asymmetrical elevation to the public realm, particularly the placement of the fenestration and the differing sizes of the road facing gables. Consequently, it would not relate well to the wider street scene and this is a significant limitation given the prominent position of the site. The property on the junction with Morgan Road has gables of differing proportions but this is a corner plot and a detached house and therefore the unbalanced approach adopted in that building is not discordant.
8. As a response to the constraints of the site the proposed building would be positioned in close proximity to the rear boundary. This need not be unacceptable as the limited depth of the plot would not be readily apparent in views from the public realm. However, the proposed building would have an unorthodox shape that would not be sufficiently softened by the seamless join along the north eastern elevation between the side gable and the rear flat roof. The lack of articulation to the gable would result in a deep and bulky appearance to this elevation that would accentuate the building's awkward shape. Moreover, the large balcony that would project from the same elevation would be a strident feature. This is because its form and materials would jar with that of other nearby properties.
9. The appeal scheme would replace the unattractive garages and partially screen the recent development behind them. In effect, it would complete the street scene through infilling. However, the proposed building, although of a similar height to neighbours, would be a strident inharmonious addition to the street for the reasons already given. The garages have a settled appearance and are low structures that are not so injurious to the character and appearance of the area that they should be replaced at any cost. As such, the proposal would fail to take the opportunity that is currently available to improve the character and quality of the area.
10. I therefore conclude that the appeal scheme would be an incongruous addition to the street scene. It would therefore harm the character and appearance of the area. This would be at odds with Policies H7 and BE1 of the London Borough of Bromley's Unitary Development Plan 2006 (UDP) which seek to secure high quality designs which complement and recognise the qualities of the surrounding area.

11. Policies H7 and BE1 are supported by Supplementary Planning Guidance SPG1 and SPG2, which provides further design guidance, including the importance of continuity and respect for the existing character and appearance of the wider street scene. Overall, the appeal scheme would not meet the objectives of SPG1 and SPG2.
12. Policies H7 and BE1 are broadly consistent with Paragraph 58 of the National Planning Policy Framework and therefore Policies H7 and BE1, and any conflict with them, can be afforded significant weight. The proposal would also be in conflict with Policies 7.4 and 7.6 of the London Plan (LP), which have similar aims to Policies H7 and BE1 of the UDP and the Framework.

Whether the proposed development would provide adequate living conditions for future occupants, with particular reference to amenity space

13. The maisonettes would be one bedroom properties and therefore the level of amenity space should be commensurate with their size and function. The Housing Supplementary Planning Guidance 2016 (SPG), which supplements Policy 3.5 of the LP, sets out housing standards for the Greater London area. The relevant standard for private amenity space is five square metres for a one to two persons dwelling. The appeal scheme would exceed this. Thus, the proposed amenity areas would provide space that would function well as somewhere to sit out and dry washing and as somewhere that could be landscaped.
14. The outlook from the amenity areas would be constrained by the boundary treatment that would be necessary to provide sufficient privacy from neighbours and separation from one of the parking spaces. However, the amenity areas would not be so enclosed as to limit views out to just the sky or towards tall walls that would tower over the future occupants. Instead, there would be some visual connection to the townscape around the appeal site. Consequently, the amenity areas would not be harmfully enclosed or oppressive to be within.
15. In coming to the view above I have given moderate weight to the appeal site's location in a dense urban area close to the town centre. As such, the appeal site is in an area where future occupants would expect their outlook to be constrained to an extent by nearby structures. The proposal needs to be considered in this context.
16. Consequently, I am satisfied the appeal scheme would provide adequate living conditions for future occupants and therefore I find no conflict with Policy H7 of the UDP or Policy 3.5 of the LP, as supported by the SPG, which seek to prevent housing that would have inadequate living conditions.

Other Matters

17. The appeal scheme would have inherent social and economic benefits as it would be redevelopment of previously developed land that would support the borough's housing land supply at a time when this may be increasing, the construction industry and housing choice. Future residents are also likely to spend locally. However, as only two small homes are proposed the benefits would be limited.
18. The proposal would facilitate the provision of additional on street parking and the continuation of the existing pavement but these benefits would be at the

expense of the character and appearance of the area given the unacceptable design of the maisonettes. Thus, the benefits would not be of sufficient magnitude to outweigh the harm I have identified and the subsequent conflict with the development plan.

19. The concerns of interested parties are noted including those relating to parking and health (encompassing dust nuisance during construction). However, given my findings above it is unnecessary for me to consider these points in detail.

Conclusion

20. The appeal scheme would provide adequate living conditions but would harm the character and appearance of the area. Overall, the proposal would be contrary to the development plan as a whole and material considerations do not indicate planning permission should be forthcoming in spite of this. Accordingly, the proposal is not sustainable development and for this reason, the reasons given above, and having regard to all other matters raised, I conclude the appeal should be dismissed.

Graham Chamberlain
INSPECTOR