
Appeal Decision

Site visit made on 14 November 2017

by Debbie Moore BSc (HONS) MCD MRTPI PGDip

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

Decision date: 4th December 2017

Appeal Ref: APP/G5180/W/17/3180183
24 Keswick Road, Orpington BR6 0EU

- 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 Mr Rafael Porzycki of Aventier Ltd against the decision of the Council of the London Borough of Bromley.
 - The application Ref DC/17/01588/OUT, dated 30 March 2017, was refused by notice dated 15 June 2017.
 - The development proposed is described as "demolition of one existing residential dwelling and erection of 2 semi-detached houses with accommodation on roof level associated access and 4 parking spaces at 24 Keswick Road, BR6 0EU".
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The application was made in outline and sought approval for access, landscaping and layout. Details of appearance and scale were reserved for subsequent approval. Consequently, I have treated the Floors Plans (Ref BX08-S2-104, Elevations 1 (Ref BX08-S2-105) and Elevations 2 (Ref BX08-S2-106) as indicative.

Main Issues

3. The main issues are the effect of the development on: (i) the living conditions of adjoining occupiers with regard to outlook and light, and; (ii) the character and appearance of the area.

Reasons

Living Conditions

4. The site layout plan shows that the development would extend beyond the rear wall of the neighbouring house at No 22 Keswick Road. Due to its siting and form, the proposed two-storey development would have a greater impact on the adjoining property than the existing bungalow. I saw from my site visit that No 22 has a rear ground floor window to a main habitable room that would be particularly affected by the development.
5. I have considered the appellant's sun/shadow report, which indicates that there would be a loss of sunlight to the rear of the neighbouring property, especially in the early afternoon during the spring and winter months. This would be

greater than the shadow cast by the existing bungalow. Also, the relatively long side wall of the proposed two-storey development would be more dominant and it would adversely affect the outlook from the rear of No 22.

6. The combination of the loss of light and outlook would have a material adverse effect on living conditions to the detriment of the neighbour's enjoyment of their property. Therefore, the development would be contrary to Policies H7 and BE1 of the Unitary Development Plan 2006 (UDP) which, amongst other things, seek to protect the amenity of occupiers of adjoining buildings.

Character and Appearance

7. The appeal site occupies a prominent corner location at the junction of Keswick Road and Stanley Road. The surrounding area is residential, characterised by predominately detached houses set within spacious plots, which gives an open appearance. The land levels fall away from west to east, with the result that the appeal property sits at a higher level than the road, and the houses opposite.
8. The existing dwelling is a detached chalet style bungalow with dormer windows. Although smaller in scale than other houses nearby, it is highly visible in the street scene due to its corner location and elevated position. It's siting closer to the northern boundary, and the angled orientation, enables the bungalow to blend into the street scene and complement the open and spacious character and appearance of the area.
9. The proposed development is for the demolition of the existing bungalow and its replacement with a pair of semi-detached houses, which would require the sub-division of the plot. The development would be positioned squarely within the site, fronting onto Keswick Road. It would be significantly further forward than the existing bungalow and it would be considerably more prominent in the street scene. I appreciate that matters of scale and design are reserved for subsequent approval. Nonetheless, it is clear from the application that a two-storey building is sought, with accommodation in the roofspace. The proposed semi-detached houses would be incongruous and would stand-out as an overly prominent and uncharacteristic form of development in this location.
10. I have taken into account the scale of other development in the vicinity, especially No 22 which is a substantial property. However, No 22 is not in a prominent corner location. Similarly, No 1 Stanley Road, opposite the appeal site, is well screened and is sited at a lower level than the road. Despite being a large house, it also complements the street scene. The appellant has assessed plot sizes and the separation between properties in Keswick Road. Whilst this shows that the plot size in itself would be comparable with development in the immediate vicinity, the assessment takes no account of the site-specific circumstances and the fact that the appeal site is prominent in the street scene.
11. The layout and form of the proposed development are such that it would dominate its corner location and would not complement the established pattern of development in the locality, or promote local distinctiveness. The landscaping scheme would be unlikely to screen the two-storey development and, in any event, it would take some time to mature. Consequently, I am not satisfied that it would mitigate the adverse effects of the proposal.

12. To conclude on this matter, it has not been demonstrated that the development would meet the aims of the National Planning Policy Framework as it would not take the opportunity to improve the character and quality of the area and the way it functions. Moreover, it would not preserve or enhance the character and appearance of the area, contrary to Policies BE1 and H7 of the UDP and the guidance of Council's Supplementary Planning Guidance No 1 and No 2 (2003). It would not accord with Policies 3.5 and 7.4 of the London Plan, which seek to ensure new housing development is of a high quality design that enhances the quality of local places.

Conclusion

13. I have taken into account the benefits of the development, including that it would make a minor contribution to the local housing supply, and it would be reasonably well located in relation to transport options and access to facilities. However, the benefits are limited and do not outweigh the harm that I have identified above.
14. For the reasons given above, the appeal is dismissed.

Debbie Moore

Inspector