
Appeal Decision

Site visit made on 31 October 2019

by R Sabu BA(Hons) MA BArch PgDip ARB RIBA

an Inspector appointed by the Secretary of State

Decision date: 15 November 2019

Appeal Ref: APP/G5180/W/19/3231659

26 East Street, Bromley, London BR1 1QU

- 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 Terence Wright against the decision of the Council of the London Borough of Bromley.
 - The application Ref DC/18/04860/FULL1, dated 26 October 2018, was refused by notice dated 17 December 2018.
 - The development proposed is described as, 'alterations to, and extensions of, a two storey terrace building to provide commercial space on the ground floor and two residential units above. A small section – at ground level – of the rear 'outrigger' is to be removed.'
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The Local Plan London Borough of Bromley Planning Division January 2019 (PD) was adopted since the application was determined by the Council. I have therefore had regard to the adopted policies only.
3. While I note the description of development in the appeal form and decision notice, I have used the description above from the application form in the interest of certainty.

Main Issues

4. The main issues are:
 - whether the proposed development would preserve or enhance the character or appearance of the host building and Bromley Town Centre Conservation Area; and
 - whether the proposed development would provide a suitable living environment for future occupiers with particular regard to internal space.

Reasons

Character and appearance

5. East Street is sited within Bromley Town Centre Conservation Area (CA), the significance of which lies in the evidence of the growth of a historic town centre from a market town to a suburban town centre. Apart from two modern buildings, the other buildings along East Street including the appeal site

- generally exhibit evidence of a particular phase of the development of the historic modest town centre and positively contribute to the character and appearance of the CA.
6. Nos 22, 24 and 26 East Street are a terrace of modest two storey Victorian buildings with commercial units at ground floor. This group of buildings including their rear elements, in their style, form and scale form a positive contribution to the significance of the historic and modest aspect of the CA.
 7. The proposal involves alterations to the existing building and three storey rear extensions to No 26 East Street (No 26) to provide commercial space at ground floor and two one-bedroom flats. The footprint of the proposed extension would occupy the majority of the plot. A previous proposal relating to the site was dismissed at appeal¹. This appeal has sought to address the concerns of the Inspector for that appeal.
 8. While a number of changes have been made to the design of the proposal including a slight reduction of the depth of the rear extension, the overall three storey height remains similar to the previous proposal and would still occupy the majority of the plot. As such, the proposal would visually overwhelm the existing building, thereby significantly altering its original character and diminishing its significance within the CA. I acknowledge that the rear of the plot would not be visible from East Street. However, the proposed development would be clearly visible from South Street. Therefore, given the footprint, height and overall scale of the proposed development, it would appear harmfully dominant compared to the existing building as well as the terrace of historic properties of which the site is a part.
 9. I note that the properties adjacent to the site appear in need of some maintenance and have been altered at the rear. However, given their scale including the rear additions, these properties are in keeping with the character and appearance of this group of buildings. Since the three and four storey modern blocks either side of the group contrast with the otherwise historic character of the street, they do not form a direct comparison to the appeal site which is modest in scale.
 10. The proposed rear dormer extension would consist of materials and a form that would be in keeping with the host building and would be set below the existing ridgeline. However, the lack of harm with respect to the rear dormer would not override the harm to the host building and surrounding area that would arise from the rest of the proposal. I note the evidence regarding the history of the terrace, however this does not override the harm to the host building, existing terrace and CA.
 11. In addition, The Supplementary Planning Guidance for Bromley Town Centre Conservation Area (SPG) advises that extensions should reflect the forms, materials, textures and finishes of the host building. The proposal would include shallow and steep roof pitches as well as metal cladding which would not reflect the design of the existing building. Therefore, together with the dominant appearance that would result from the overall scale of the proposal, the proposed development would appear harmfully discordant against the host building, two storey historic terrace and the CA and would not overcome the concerns of the previous Inspector.

¹ Appeal ref: APP/G5180/W/17/3180852

12. Consequently, the proposed development would not preserve or enhance the character or appearance of the host building and CA. Therefore, it would conflict with PD Policies 6 and 37 which among other things require the scale, form and materials of construction to respect or complement those of the host dwelling and be compatible with development in the surrounding area, and to be of a high standard of design and layout. It would also conflict with PD Policy 41 and the SPG which seek development that would preserve or enhance the character and appearance of the conservation area in this regard.
13. The resulting harm to the character and appearance of the host building and street scenes would have a negative effect on the significance of the Conservation Area. The harm would be less than substantial in the terms of paragraph 196 of the National Planning Policy Framework (Framework) and would fail to preserve or enhance the Conservation Area. I note the benefits of the scheme set out by the appellant including the provision of town centre homes and higher density living. However, these benefits including securing optimum viable use would not outbalance the harm found to the host building and the significance of the Conservation Area.

Living environment

14. The overall internal area of the proposed flats would fall short of the requirements of Table 3.3 of Policy 3.5 of The London Plan The Spatial Development Strategy for London Consolidated with Alterations since 2011 March 2016 (LP) and PD Policy 4 which requires compliance with LP Policy 3.5. I note that the proposed bedrooms would be relatively spacious, the constraints from the existing buildings, and the limited number of future occupiers. However, from the evidence before me, the living and kitchen areas of both flats would have inadequate internal dimensions leading to a cramped and claustrophobic environment to the detriment of the living conditions of future occupiers.
15. Consequently, the proposal would not provide a suitable living environment for future occupiers with particular regard to internal space. Therefore, the proposal would conflict with PD Policy 4 which requires new developments to meet the minimum space standards for dwellings as set out in LP Policy 3.5. It would conflict with LP Policy 3.5 which states that new homes should have adequately sized rooms and convenient and efficient room layouts which are functional and fit for purpose. The proposal would also conflict with PD Policy 37 which requires all developments to be of a high standard of design and layout.

Conclusion

16. For the reasons given above the appeal is dismissed.

R Sabu

INSPECTOR