



Appeal Decision

Site visit made on 19 November 2019

by K A Taylor MSC URP MRTPI

an Inspector appointed by the Secretary of State

Decision date: Wednesday, 27 November 2019

Appeal Ref: APP/G5180/D/19/3236703

82 Lynwood Grove, Orpington BR6 0BH

- 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 & Mrs Jerald Solis against the decision of the Council of the London Borough of Bromley.
 - The application Ref DC/19/00110/FULL6, dated 8 January 2019, was refused by notice dated 15 July 2019.
 - The development proposed is demolition of existing boundary wall and removal of soft landscaping to the front of the property, to be replaced by new boundary wall and access gate with the addition of new hard landscaping.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are (i) the effect of the development on the character and appearance of the area; and (ii) the effect of the proposed development on the safety of users of the adjacent highways.

Reasons

Character and Appearance

3. The appeal site is a detached property set within a spacious corner plot situated on the junction with Lynwood Grove and Melbourne Close. Despite some variation in form and symmetry the properties in the area present a discreet arrangement that appreciably contributes towards the local character. It is located within a locally designated area, The Knoll Area of Special Residential Character (ASRC).
4. The London Borough of Bromley Local Plan, 2019 (LP) identifies the ASRC as residential streets having a majority of post-war detached and interwar semi-detached two storey properties inset in spacious plots with distinctive arts and crafts features. It advises that Lynwood Grove properties feature a mix of open plan or landscaped front gardens delimited by low boundary walls or hedges and that creative use is often made of planted boundary walls and hedges to delimitate side boundaries and front gardens as well as paving materials for driveways.

5. The proposed development would demolish an existing low boundary wall to the frontage and replace with a sliding gate, wall with railings above. It would also replace existing fencing along the flank boundary with a wall and sliding gate facing Melbourne Close. I noted on my site visit that the majority of properties along Lynwood Grove have low height boundary treatments and soft landscaping to frontages which positively contribute to the character and appearance of the street scene, maintaining open spacious plots. The front sliding gate, wall and railings would significantly enclose the front garden area, particularly with the wraparound to the frontage and it would have limited soft landscaping. Furthermore, it's design, including the introduction of railings would result in a stark and uncharacteristic addition along Lynwood Grove which would harm the open nature of the frontages to the detriment of the character and appearance of the street scene and the ASRC.
6. In terms of the wall and gate along the flank boundary elevation. The existing fencing is generally in keeping with other rear boundary materials in the immediate area and provides a subtle appearance to the street scene. The replacement with a wall of substantial length and height would be seen from views along Lynwood Grove when approaching Melbourne Close and would appear bulky and as a prominent feature, overpowering the side boundary elevation to the detriment of the visual qualities of the street scene and contrary to guidance on the characteristics of side boundaries within the ASRC.
7. For the reasons given above I conclude the proposed development would harm the character and appearance of the area and The Knoll ASRC of which the site is located within. It would be contrary to Policy 37 and Policy 44 of the LP 2019, which require development to be imaginative and attractive to look at; complement the scale, proportion, form and materials of adjacent buildings and areas; positively contribute to the existing street scene and/or landscape; and in ASRC will be required to respect, enhance and strengthen their special and distinctive qualities.

Highway Safety

8. The proposed development would enlarge the front driveway and provide additional parking spaces which would be accessed from the highway through the proposed sliding gate. The existing access facing Melbourne Close is currently gated and it would be replaced with a sliding gate.
9. The Council's highway officer advises there are no visibility issues with regards to the bend or junction of Lynwood Grove / Melbourne Close for No.82 or drivers coming in and out of Melbourne Close. I have no evidence to disagree with this other than anecdotal. Although there could be a delay in the gates opening it would be unlikely to be for a significant time than that of the existing access arrangements of vehicles waiting to turn into the site curtilage. Moreover, there is adequate visibility from both directions along Lynwood Grove to clearly see vehicles exiting or entering the site safely as such there would not be any adverse impacts on highway safety for other road users.
10. Therefore, I conclude the proposed development would not have an adverse impact on highway safety and other road users. It would comply with Policy 32 of the LP 2019, which seeks to consider the potential impact of any development on road safety and ensures that it is not significantly adversely affected.

Other Matters

11. My attention has been drawn to a previous appeal decision¹. However, I do not have the full details of this appeal case and cannot be sure that the circumstances are directly comparable with those which apply in this appeal, in regard to location, siting, design and development plan policies. I have, in any case, reached my own conclusions on the appeal proposal on the basis of the evidence before me.
12. I have also had regard to the development of boundary treatments opposite the site at No.85 and that it does not appear to have planning permission. I am not aware of all the considerations that apply in this case, which are present matters for the Council, however it should not be seen as setting a precedent.

Conclusion

13. I have found that the proposed development does not cause any adverse impacts to highway safety, however this does not outweigh the harm I have identified to the character and appearance of the area and the ASRC. For the reasons given above and taking into account all other matters raised, I conclude that the appeal should be dismissed.

K A Taylor

INSPECTOR

¹ APP/G5180/C/14/2218528