
Appeal Decision

Site visit made on 8 January 2020

by A M Nilsson BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 5 February 2020

Appeal Ref: APP/G5180/W/19/3238753

61 South Eden Park Road, Beckenham BR3 3BQ

- 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 Stonebuild Developments against the decision of the Council of the London Borough of Bromley.
 - The application Ref DC/19/01592/FULL1, dated 2 April 2019, was refused by notice dated 26 June 2019.
 - The development proposed is Ground Floor Rear Extension to the dental practice, First Floor Side Extension & Part Rear Extension with Loft Conversion to convert upper floor flat into 3 x 2 Bedroom Flats, with 2 x Parking Spaces and Refuse Store to the Rear.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The Council's second reason for refusal relates to the highways impact of the development with regard to parking. Since the original decision, the appellant has submitted an updated Transport Assessment. Taking account of this information the Council is now satisfied with the highways impact of the proposal and no longer wishes to contest this ground for refusal, subject to the imposition of appropriately worded conditions in the event the appeal is allowed.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the host building and the surrounding area.

Reasons

4. The appeal site comprises a two-storey detached building which accommodates a dental surgery on the ground floor and a flat on the first floor. The site is situated on a prominent corner overlooking a roundabout junction in a predominantly residential area. The dwellings surrounding the appeal site comprise mainly two-storey detached and semi-detached properties of a traditional residential design. The appeal property, which was originally a dwelling, follows the form and design of the surrounding dwellings, despite its partial use as a dental surgery. Its domestic appearance results in it not appearing out of character with the surrounding area.

5. The proposed single storey front and rear extensions would extend the dental surgery. Two additional residential units would be created on an extended first floor and in the second floor roof-space.
6. The single storey front extension to the dental surgery would be relatively modest in scale. However, its contemporary appearance comprising a simple form with black powder coated aluminium clashes harmfully and does not relate well with the more traditional domestic appearance of the remainder of the building and the wider area as a whole which is predominantly brick, render and tiled. The other elements of the proposal that alter the front elevation, namely the first-floor side extension and the roof alterations sit comfortably with the rest of the building and would not cause harm.
7. At the rear, the site is highly visible from Monks Orchard Road. The proposals in this context would substantially alter the appearance of the building. The creation of a gable roof incorporating part of the second-floor flat result in the appearance of a three-storey building which would, due to its height, dominate the host building, appearing bulky and out of scale with the host property. The use of full height glazing, protruding window surrounds and roof terraces with glazed balustrades, on this elevated position, cumulatively increases the prominence of the extension where it would be incongruous within its surroundings.
8. The remainder of the rear garden is proposed to be divided between the dental surgery and the flats above. The areas are separated through the use of close boarded fences of 1.8m in height. I find that the result of this segregation and the repetitive use of fencing would create visual clutter and would be out of character with the host property and the surrounding area.
9. The Council consider that as the first-floor element of the extension will project closer to the side boundary of the property with Monks Orchard Road, the erosion of this separation would conflict with the Council's standards resulting in the development appearing prominent. The first-floor element of the side extension is built over an existing single storey ground floor section of the building. The development maintains a separation from the side boundary and does not extend to over the full width of the existing single storey ground floor section of the building at the side. I find that the first-floor extension resulting in the loss of some of the existing gap would not cause unreasonable harm to the appearance of the property or the surrounding area.
10. I therefore conclude that the proposed development would have a harmful effect on the character and appearance of the host building and the surrounding area. It would be contrary to Policies 4, 8, 9 and 37 of the London Borough of Bromley Local Plan (2019) which seek, amongst other things, that development should be of a high standard of design, complementing the proportion, scale form and layout of adjacent buildings, and should respect local character and ensure that the character and appearance of the area is not adversely affected. These policies also seek that development should positively contribute to the street scene and for a development of this nature should be set back a minimum of 1m from the side boundary.
11. The proposal would also be contrary to Policies 7.4 and 7.6 of The London Plan (2016) which seek to ensure, amongst other things, that the design of new buildings should enhance the character of the area and be of high-quality design.

Other Matters

12. The appellant argues that the Council cannot demonstrate a five-year supply of deliverable housing sites and as such significant weight should be given to the provision of housing as a result of the development.
13. However, the adverse impacts of the proposal in terms of the harm to the character and appearance of the area would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, which include a requirement for good design¹. I have considered the appeal examples put forward by the appellant and consider that the issues and circumstances in those cases are quite different to the current appeal. In one case², housing land supply was not a main issue, as the proposal complied with the relevant sections of the development plan and the Framework, and in the other³, the provision of housing was one of many considerations that outweighed the harm identified and amount to the very special circumstances necessary to justify the development. It therefore does not follow that the appeal should be allowed based on those cases.
14. The appellant has referred to the benefit of the proposal in terms of provision of increased capacity at the dental surgery, however this does not outweigh the harm that would be caused to the character and appearance of the area.

Conclusion

15. For the reasons given above, and having had regard to all other matters raised, I therefore conclude that the appeal should be dismissed.

A M Nilsson

INSPECTOR

¹ National Planning Policy Framework, Chapter 12

² APP/G5180/W/18/3206947

³ APP/G5180/W/18/3206569