



## Appeal Decision

Site visit made on 25 February 2020 by C Brennan BAE (Hons) M.PLAN

**Decision by Andrew Owen BA (Hons) MA MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 25 March 2020**

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**Appeal Ref: APP/G5180/D/19/3242193**

**7 Mada Road, Bromley, Kent BR6 8HG**

- 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. Robert Gray against the decision of the Council of the London Borough of Bromley.
  - The application Ref DC/19/03144/FULL6, dated 20 July 2019, was refused by notice dated 13 September 2019.
  - The proposed development is new crossover and front boundary rendered wall and railings.
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### Decision

1. The appeal is dismissed.

### Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

### Main Issues

3. The main issues are:
  - i) the effect of the proposed development on the character and appearance of the site and surrounding area.
  - ii) the effect of the proposed development on highway safety.

### Reasons for the Recommendation

#### *Character and Appearance*

4. The appeal site accommodates a detached bungalow and garage on the north eastern side of Mada Road. The appeal property forms part of a distinctive group of four similar bungalows which each feature open front gardens with no boundary walls, fences or gates. This group of properties has an open and spacious appearance which contributes positively to the character and appearance of the surrounding area. As such, the proposed front wall, gates and railings would appear incongruous as the appeal property would be the only property within this group to feature any such boundary treatment. The proposal would therefore contrast poorly with neighbouring properties and cause harm to the cohesion of this group of bungalows, to the detriment of the character and appearance of the appeal property and the surrounding area.
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5. The appellant has drawn my attention to examples of similar boundary treatments within the surrounding area. However, as none of these examples relate to properties within such a cohesive group as this which are characterised by similarly open front gardens, they are not directly comparable to, nor provide any justification for, the proposal.
6. For the above reasons, I conclude that the proposed development would cause unacceptable harm to the character and appearance of the site and surrounding area. The proposal would therefore conflict with Policy 37 of the Local Plan (2019) and Policies 7.4 and 7.6 of the London Plan (2016), which state that development proposals should be designed to a high standard of design and layout, have regard to the form of an area and make a positive contribution to a coherent public realm and streetscape. The proposal would also conflict with No. 2 Residential Design Guidance Supplementary Planning Guidance (2003), which states that all new boundaries should be carefully considered to ensure that they fit in with the height of their local context.

#### *Highway Safety*

7. Due to the height of the proposed wall, pillars and railings and their siting on the edge of the front boundary of the appeal site, vehicles would have poor visibility of the road and adjacent pavement when leaving the site. Vehicles would need to first drive onto the pavement to see oncoming traffic before driving onto the road as it would not be possible to see from the driveways through the railings at such an acute angle. This poor visibility would create an unsafe environment for both pedestrians and other road users. Furthermore, the proposed front wall would reduce road visibility for drivers leaving from No. 9 Mada Road whose driveway is located directly alongside the appeal site's eastern boundary, thereby worsening the harmful effects of the proposal in terms of highway safety.
8. The appellant states that the proposed crossover would allow them to access and leave the site in forward gear which, they consider, would be safer than the current arrangement where vehicles either have to reverse onto the road or stop on the road and reverse onto the drive. However, the proposal would essentially replace the need to undertake such reversing manoeuvres with the inability to leave the site with sufficient visibility. Furthermore, given the distance between front driveway and the parked cars on the opposite side of the road, I do not consider that the existing highways environment is particularly unsafe or inconvenient for vehicles entering and leaving the appeal site. I do not consider therefore that the proposal would be any safer than the existing arrangement.
9. For the above reasons, I conclude that the proposed development would cause unacceptable harm to highway safety. The proposal would therefore conflict with Policy 32 of the Local Plan, which states that road safety must not be significantly adversely affected by the potential impact of any development.

#### **Other Matters**

10. The appellant states that the proposal would provide improved security from burglaries and from fly-tipping. However, there is no evidence before me to suggest that the appeal site is at any particular risk to either of these concerns, nor is it obvious that the modest height of the front boundary treatment would prevent fly-tipping or a determined burglar. Furthermore, any additional

protection from noise and vehicle pollution would be negligible and would not justify the proposal. Regardless, the identified harm that would result from the proposal would outweigh any benefit in these respects.

11. The appellant also states that the proposed front boundary wall would prevent other vehicles from driving onto the front edge of the garden when passing around vehicles parked on the opposite side of the road. However, given the width of the road and adjacent pavement, I find it unlikely that cars would have to drive onto the front garden to get past any vehicles parked opposite. In the absence of any evidence demonstrating that this is a regular occurrence, this consideration does not provide justification for the proposal.

### **Conclusion and Recommendation**

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

*C Brennan*

APPEAL PLANNING OFFICER

### **Inspector's Decision**

13. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

*Andrew Owen*

INSPECTOR