



Appeal Decision

Site visit made on 18 August 2020

by Alison Scott BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7 September 2020

Appeal Ref: APP/G5180/W/19/3242531

9 Belmont Road, Chislehurst BR6 6HR

- 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 Stanton against the decision of The London Borough of Bromley.
 - The application Ref DC/19/03362/FULL1, dated 2 August 2019, was refused by notice dated 29 October 2019.
 - The development proposed is Demolition of existing sheds x 2 and construction of a 1 x bedroom single storey dwelling.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The description of the proposal has been amended by the Council and described as 'Demolition of existing buildings and erection of one bedroom bungalow with associated parking.' I concur that this accurately describes the development before me.

Main Issues

3. The main issues are the effect of the proposal on the character and appearance of the area and the living conditions of future occupiers of the proposed dwelling, and the living conditions of 11 Belmont Road.

Reasons

Character and Appearance

4. Belmont Road is a cul-de-sac of varied residential properties. The appeal site is a small commercial yard located close to the top of the road between the modern bungalow of No 7 and a pair of semi-detached houses. There are two buildings on site. Timber boundary treatment and gates enclose the site.
5. The Council raises no objections to the contemporary design of the proposal. The footprint is proposed at a slightly larger area than the existing sheds with the resultant volume on a similar scale. I appreciate the efforts to develop the site to a similar mass, scale and height as what is currently on site, and that the front building line would be broadly level with the adjacent bungalow.

6. However, the proposal would encompass a substantial portion of the plot, approximately 80%, and would abut the boundaries with the adjacent bungalow and the houses to the rear of the application site. Irrespective of whether or not the existing buildings are built up to boundaries, these buildings are in two separate units. The fact that a car parking space is proposed to be provided in-curtilage, and although it would be of limited size, I consider to be policy compliant, also serves to occupy space at the front of the site. This further emphasises the very limited size of the plot.
7. Although the character of the area is mixed, and there is a new build house located opposite to the appeal site, the pattern of development around affords a sense of spaciousness to the dwellings. The appeal site would appear conspicuous for the lack of spacing surrounding the dwelling and would instead appear as an uncharacteristically cramped form of development. It would thus be harmful to the street scene.
8. The condition of the buildings on site are in a poor state of repair and a commercial use in this location is not in character with the residential nature of the cul-de-sac. I appreciate a new dwelling in this location would visually improve the appearance of the street scene and I apply substantial weight to a potential improvement. However, this is balanced against other factors. Therefore, for the aforementioned reasons in respect of its effect on the character and appearance of the area, I do not find in favour of the proposal.
9. The proposal is therefore contrary to the London Borough of Bromley Local Development Framework Local Plan 2019 Policies 4 and 37 for new development to be of a high standard of design and to respect local character. I do not however find the proposal to be in direct conflict with Policy 30 that seeks new housing development to provide off-street parking.

Living Conditions of future occupiers

10. The courtyard outdoor space to support the proposal would be to the rear of the site within an area of approximately 3m x 3m. It would be enclosed on two sides by the 1.8m high timber fence that the appellant's propose as boundary treatment, with the proposed dwelling broadly containing the rest of the space. It may meet the required outdoor space standards, however the quality of the space and its value as a commodity is relevant.
11. As a result of the proposed surroundings and the small space that would be available, a sense of enclosure would occur to the occupiers. This would be harmful to their living conditions and would be even more significant as there would be no reliance on the use of the area to the front of the site for outdoor space given this would not be private.

Living conditions of occupiers of 11 Belmont Road

12. Number 11 is positioned at an angle to the appeal site with front windows overlooking their drive and onto the existing boundary fence. The overall height of the development is designed to correspond with that of the current buildings. However, a new dwelling in this location would be visible above the boundary treatment and in very close quarters to the boundary.
13. There are a number of ground floor windows of No 11 that look over the front parking area and the boundary fence. I have considered the outlook from these and the outlook from the front space at the time of my visit. Due to the

location of the existing buildings, the outlook from this dwelling is not unduly compromised by the position of the sheds.

14. However, this outlook would change significantly as a result of the proposal as it would bring the development substantially closer to this dwelling. The outlook would be towards a timber clad gable wall that would be visible above the existing fence that is arguably lower than the gable wall. The outlook would also be towards the sloping roof with the overall height of the proposal at approximately 3m.
15. The existing circumstance on the ground are not the same as the proposed. Given the proposed relationship between the two sites, the outlook from this dwelling would be reduced, and harm would arise to the living conditions of the occupiers.
16. Bringing all matters together, taking account of the living conditions the future occupiers would experience and the effect on the neighbouring occupiers, the proposal would be in conflict with Policies 4 and 37 of the London Borough of Bromley Local Development Framework Local Plan 2019 in its aims for development to be of a high standard, including spaces around them to be of a high quality, and to respect amenity of occupiers of neighbouring buildings and future occupiers.

Other Matters

17. Despite the size of the proposed dwelling complying with the London Plan Standards and the Nationally Described Space Standard and density standards may be considered acceptable, I am not otherwise persuaded to allow the appeal.
18. I have taken account the letters of support to the proposal. Whilst a residential use would be more in character with the area than the existing commercial use, the use has been as such for a number of years.
19. The appellant addressing points of a previous refusal are noted, however, as is my duty, I have considered the proposal before me and come to a decision.

Conclusion

20. Taking account of all matters before me, the appeal is dismissed.

Alison Scott

INSPECTOR