

Appeal Decision

Site visit made on 3 September 2020

by Ian Harrison BA Hons DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24 September 2020

Appeal Ref: APP/G5180/D/20/3250585

Wilton House, Westbury Road, Bromley BR1 2QB

- 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 M Toll against the decision of the Council of the London Borough of Bromley.
 - The application Ref DC/19/04421/FULL6, dated 22 October 2019, was refused by notice dated 17 January 2020.
 - The development proposed is the erection of an oak framed carport.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The description of development in the heading above has been taken from the planning application form. At Part E of the appeal form it is stated that the description of development has not changed but, nevertheless, a different wording has been entered. Neither of the main parties has provided written confirmation that a revised description of development has been agreed. Accordingly, I have used the one given on the original application.

Main Issue

3. The main issue is the effect of the development on the character and appearance of the area.

Reasons

4. The appeal site is located adjacent to the junction of Westbury Road and Sunridge Avenue which feature large buildings that are used for residential purposes and are set on large plots. Substantial gaps exist between the buildings of the area which are set well back from the abovementioned roads. In combination with the presence of substantial trees and vegetation and the absence of built form at the frontages of the plots, the layout of the built form gives the area a spacious and verdant suburban character.
5. The appeal site contains a dwelling that is part of a larger building and also includes the land to the front and side of that dwelling which features a grassed garden, a substantial tree and an area of hardstanding that is used for car parking. That land is the only outdoor space serving the dwelling and is enclosed by trees, hedges and fences at the boundary of the site. The proposal would involve the erection of an open-sided car port in a position similar to the location of the existing car parking area.

6. The positioning of the carport would cause the structure to be prominent and have a substantial effect on the appearance of the plot. Whilst the gardens surrounding the building are generous and the open-sided form of the carport would avoid it being a bulky structure, these factors would not prevent the structure eroding the sense of spaciousness at the frontage of the plot which contributes to the overall character of the area. Moreover, the positioning of the building would cause it to relate poorly to the pattern of development within the vicinity of the site and detract from the character of the locality.
7. Although views of the carport from outside the site would be partially obscured by the boundary vegetation and fencing, it would still be visible from the public domain and, as such, the substantial and harmful effect of the proposed development would not be mitigated by those features.
8. Off-street parking is already available at the site, I have no evidence before me that demonstrates that on-street parking occurs to an extent that causes parking stress and it appears that the proposed parking area would only be available to serve the occupier of the dwelling at the appeal site. Therefore, I have no basis to conclude that the provision of improved parking at the site would represent a public benefit that would outweigh the harm that has been identified above.
9. Whilst some buildings sit forward of the dwellings within the nearby street of Hill Brow, I have insufficient details of those buildings and their planning histories to afford them weight. In any case, as the dwellings of Hill Brow are not viewed in the same context as the appeal site, the presence of those buildings does not alter my assessment of the visual effect of the proposed development within its context.
10. Consequently, the development would have an unacceptable effect on the character and appearance of the area. The proposal would, therefore, be contrary to Policies 6 and 37 of the London Borough of Bromley Local Plan 2019 which, together, require that development is of a high standard of design and layout that complements the scale, proportion, form and layout of adjacent buildings, positively contributes to the streetscene, maintains or respects the space and gaps between buildings and is compatible with the surrounding area.

Conclusion

11. For the reasons set out above, I conclude that the appeal should be dismissed.

Ian Harrison

INSPECTOR