
Appeal Decision

Site visit made on 11 November 2020

by Gary Deane BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 November 2020.

Appeal Ref: APP/G5180/W/20/3251636

31 Scotts Lane, Shortlands, Bromley BR2 0LL

- 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 Edwards against the decision of the Council of the London Borough of Bromley.
 - The application Ref DC/20/00645/FULL1, dated 14 February 2020, was refused by notice dated 22 April 2020.
 - The development proposed is the demolition of the existing single storey side extension and detached garage and the construction of a two-bedroom dwelling house with associated parking and landscaping on land to the side of 31 Scotts Lane.
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Decision

1. The appeal is dismissed.

Main issues

2. The main issue is the effect of the proposed development on the character and appearance of the local area.

Reasons

3. The appeal property is mainly 2-storey dwelling that stands to one side of a good-sized prominent corner plot adjacent to the junction between Scotts Lane and Shortlands Grove within a predominantly residential area. The site is not within a conservation area nor is No 31 a listed building.
4. The proposal is to erect a detached 2-storey house on land that currently forms part of the side and rear garden of No 31 with the site sub-divided between the new and existing dwellings. The single storey side projection attached to the main house and a detached garage would be demolished and removed to make way for the new development.
5. A substantial new built form would be introduced into generally undeveloped garden space that, at present, positively contributes to the sense of openness in the local street scene to which the site belongs. With its largely open grassed areas and mature planting, the existing gardens surrounding No 31 make an important and positive contribution to the local area. The gardens do so by providing a clear visual break between existing built development and the road; by offering views across the plot especially from Scotts Lane; and by adding to the spacious character of the local area.

6. Having carefully viewed the site from numerous points along the adjacent highways, I have little doubt that the proposed built form would curtail views into and across the site from the road and significantly reduce the spacious feel in the local street scene. As such, the proposal would appear as a visually disruptive and obtrusive intrusion into what is otherwise a relatively open junction. This strong impression would be most pronounced on the immediate northbound approach to the site along Scotts Lane.
7. The appellant provided details and photographs of properties that are close to adjacent buildings and the road although none occupy the same local street scene as the site nor do have very similar characteristics as those of the proposal. As few direct parallels can be drawn between these examples and the appeal scheme, I am unable to attach significant weight to them in support of the appeal.
8. Compared to a similar proposal that was recently refused planning permission on application and dismissed at appeal, a wider gap would separate the new dwelling with the existing house to one side and Shortlands Grove on the other. The proposed layout would comfortably exceed the minimum separation distance of 1-metre between the new dwelling and the site's side boundary as required by Policy 8 of the Bromley Local Plan (BLP). The new dwelling would also be lower in height with a front building line set further back into the site than previously sought. Together, these changes aim to subdue the visual impact of the proposal when seen from the road and thus address some of the concerns raised particularly by the previous Inspector.
9. However, due to its restricted width and modest scale and ridge height, the new dwelling would contrast markedly with the taller and more substantial buildings that broadly characterise the local area. While the submitted design incorporates some architectural features from nearby dwellings, the overall visual effect would appear contrived and unconvincing. That is because the proposed dwelling would appear unusually diminutive and uncharacteristically small even among the varied built form and plot sizes evident along Scotts Lane and Shortlands Grove. Additional planting to screen the built development would not satisfactorily mitigate its visual impact given the limited space available for meaningful landscaping along site's highway frontages.
10. My attention has been drawn to 25 Scotts Lane, which is a property that has a relatively narrow frontage to the road and is nestled between 2 larger buildings on either side. Unlike the proposal, No 25 does not occupy a prominent corner plot and it differs in size, shape and orientation to Scotts Lane compared to the appeal scheme. For these reasons, No 25 is not directly comparable with the proposal insofar as their relationship to the local street scene is concerned.
11. On the main issue, I conclude that the proposed development would cause significant harm to the character and appearance of the local area. As such, it is contrary to BLP Policies 4, 8 and 37, which require new development to achieve a high standard of design and layout, and contribute positively to the existing street scene. The appeal scheme also conflicts with Policies 3.5, 7.4 and 7.6 of the London Plan, which aim to ensure the design of new development enhances the quality of places. It is also at odds with the National Planning Policy Framework, which states that new development should add to the overall quality of an area and be sympathetic to local character.

Other matters

12. The proposal would add to the supply and choice of new homes, which is an issue that has strong policy support at all levels. The Council raises no objection on highways, environmental health on drainage grounds or with regard to the standard of accommodation that would be provided. That stance is insufficient in itself to grant planning permission since it would put to one side other material considerations that would have a bearing on the case, not least planning matters. I have no doubt that the new building could be constructed in a sustainable way and achieve a high level of energy efficiency, as the appellant suggests. However, these matters do not outweigh the significant harm that I have identified.
13. Interested parties raise several additional objections including its effect on vehicle parking, highway safety and the living conditions of others. These are all important matters and I have taken account of all the evidence before me. However, given my findings on the main issue, these are not matters upon which my decision in this case has turned.
14. I note that the Officer's report that accompanied the earlier proposal that was dismissed at appeal included a recommendation that the application be approved. However that advice related to a different proposal than the one before me, which has been assessed on its own merits.

Conclusion

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

Gary Deane

INSPECTOR