



Appeal Decision

Site visit made on 15 February 2021

by Kim Langford Tejrar LLB (Hons) BSc (Hons) PGDIP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 March 2021

Appeal Ref: APP/G5180/W/20/3258325

Park House, Anerley Park, London SE20 8NG

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against refusal to grant planning permission.
 - The appeal is made by Joseph Samuel Corporation against the decision of London Borough of Bromley
 - Application Ref DC/20/01679/FULL1, dated 14 May 2020, was refused by notice dated 15 July 2020
 - The development proposed is '*erection of attached block forming three 1 bedroom and four 2 bedroom flats, underground car parking for 18 cars, disabled bay parking, refuse and recycling stores and new landscaping*'.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. I have also dealt with another appeal (Ref. APP/G5180/W/20/3250705) on this site. That appeal is the subject of a separate decision.
3. The London Plan 2021 (LP 2021) was published on 1 March 2020 and is now part of the development plan. I invited the main parties for the appeal to express their views on the LP 2021, as it relates to the appeal.

Main Issues

4. The main issues are:
 - The effect of the proposal on the character and appearance of the surrounding area and host building,
 - Whether the proposal would provide adequate living conditions for future occupants of the development and neighbouring occupants; and,
 - Whether the proposal would have a detrimental effect on highway and pedestrian safety; particularly in respect of parking provision and pedestrian access to the proposal.

Reasons

Character and Appearance

5. Anerley Park is a predominantly residential road, comprising of large Victorian and Edwardian townhouses and villas, as well as flatted development at either

- end of the road. Whilst the built development along Anerley Park is massive, an attractive and spacious street scene is created by the architectural features of the buildings combined with a strong building line, street trees and intermittent gaps between buildings. It is, therefore, desirable to maintain this character.
6. The appeal site comprises an existing three and four storey block of flats constructed in brick, with a flat roof (the host building). It was extended in the 1980s with the three-storey section. The host building has a more utilitarian appearance than the other flatted development in the immediate vicinity, given its simple block-form, flat roof, plain façades and large window openings. Due to these elements and the marginally elevated ground level of the site, the host building appears to have greater mass than other flatted blocks in the vicinity, despite its similar scale.
 7. The proposal is a side extension to provide four storeys of accommodation above an undercrofted parking area. It would project forward of the front elevation of the host building and would project above the main sections of the roof. The host building already has various sections, which are either slightly recessed or projecting, creating some variations in the roofscape and overall height of each section. However, unlike the 1980s section, which projects at a lower height and appears as a modest addition, the proposed extension would be taller than the main roof sections. Although the proposed balconies would create articulation, interest and a more cohesive symmetry for the building, the new entrance area provided for the undercrofted parking would create vertical emphasis and a taller appearance.
 8. Moreover, the siting of the proposed extension would appear prominent in the streetscene. Its height, juxtaposed with the modestly sized no.1 Anerley Park, and its discordant scale and proportions would exacerbate the already massive form of the host building in the streetscene. Although the existing gap to the side of the building does contribute to the sense of spaciousness in the streetscene, such gaps are sporadic and as such the effect of its loss would be limited. However, the extended building would stretch the width of the plot, providing little relief from built form and increased mass.
 9. The proposal would comply with relevant guidance regarding densification and would make optimal use of the site to provide seven additional residential units, in the context of a shortage of a supply of land to meet identified housing needs. However, optimisation and appropriate densification are encouraged by the Framework, whilst taking into account the desirability of maintaining an area's character. In its proposed form, the extension would not achieve an appropriate density.
 10. For these reasons, the proposal would result in a disproportionate addition to the host building, which would appear incongruously out of scale, cramped and dominant in the street scene. The proposal would not achieve an appropriate density and would be out of keeping with the pattern and grain of the area. Contrary to policies D3 and D4 of the LP 2021, policies 4 and 37 of the Bromley Local Plan (BLP) (adopted 2019) and the National Planning Policy Framework (the Framework). These policies seek, amongst other things, to optimise site capacity whilst ensuring good design which responds to existing character.

Living Conditions

11. The proposed extension would project forward and rearward of the existing building. The scheme proposes no flank windows and includes rear balconies. The balconies would provide outlook for the future occupants of the new flats. The rearward projection and oblique angle of the balconies towards the existing flats and their balconies, as well as distance from neighbouring properties to the rear and no. 9 Anerley Park, would prevent any direct overlooking. Overlooking of no.1 Anerley Park from the balconies would be prevented with privacy screening, which could have been secured by way of a condition had the appeal been allowed.
12. The distance from no.9 Anerley Park would prevent any overbearing or overshadowing effect on that property.
13. However, the depth of rearward and forward projections, combined with the height of the building and proximity with windows serving bedrooms in the existing flats, would result in loss of outlook and overbearing impact on the existing flats of Park House. Further, no.1 Anerley Park has several windows on its flank and rear elevation, which are closely sited to the boundary. Some of those windows appear to serve habitable rooms. As such, the living conditions of occupiers of no.1 Anerley Park are particularly sensitive to development along this boundary. The proposal would result in a significant increase in depth and height of built form in much closer proximity with the boundary of no.1 Anerley Park. This would adversely affect outlook and create an overbearing relationship with the more modestly sized property.
14. For these reasons, the proposal would have an unacceptable adverse impact on the living conditions of neighbouring occupiers, contrary to Policies D3, D4 and D6 of the LP 2021, policies 4 and 37 of the BLP and the Framework. These policies seek, amongst other things, housing of high quality design which protects the amenity of existing occupiers.

Highway and Pedestrian Safety

15. The proposal includes a separate pedestrian access to the flats and to the undercroft car park through the basement of the existing building and includes a designated disabled parking bay with close level access to a lift to allow disabled access to the flats. There would be dedicated pedestrian accesses which would avoid pedestrians and vehicles sharing the same space. Any confusion in respect of which access leads to the various flats could be simply overcome with signposting and is unlikely to result in safety concerns.
16. The height of the undercroft carpark access would be 2.13 metres in height. This would allow access for a broad range of domestic vehicles, including larger vehicles such as SUVs and Land Rover Defenders (the Council's example), albeit with limited yet sufficient clearance. Similar height restrictions are commonly used on public car parks and signposting would avoid adverse safety implications. Most vehicles would be able to use the car park and any rare occasion that a vehicle is too tall to enter would be unlikely to result in any significant increased pressure on the controlled on-road parking.
17. As such, the proposal makes adequate provision for safe and pedestrian access with dignity for all, to the building and its car park. For these reasons, the proposal would make adequate provision to meet inclusive housing needs, in accordance with policies D5, D6 and T6.1 of LP 2021, policies 4 and 37 of the

BLP and the Framework. These policies seek, amongst other things, inclusive housing provision which meets the needs of all.

Other Matters

18. The building is in a poor state of repair in some places and the Appellant suggests that the proposal would, by some means, enable funding for the maintenance of the building.

Conclusion and Planning Balance

19. For the reasons stated above, I find that the appeal proposal would not represent high quality design, resulting in an adverse effect on the character and appearance of the host building and surrounding area. The surrounding area is attractive, and it is desirable to maintain its character for its amenity value. Further, the proposal would have an unacceptable adverse impact on the living conditions of existing occupiers of the host building and a neighbouring building.
20. London Borough of Bromley cannot currently demonstrate a sufficient supply of deliverable housing sites with the appropriate buffer. In increasing the density of the site and optimising its potential, the proposal would provide a relatively small quantity of seven residential units towards unmet housing need; a benefit to which I attach substantial weight.
21. The Appellant also suggests the proposal would enable maintenance works to be carried out on the building; though in the absence of a planning obligation agreement, it is not clear how this benefit would be secured and directed.
22. However, a more sensitive densification of the site with a high-quality design may result in similar benefits, without resulting in the harm which I have identified above. For these reasons, the adverse impacts of granting planning permission for the proposal would significantly and demonstrably outweigh the benefits, when assessed against the Framework as a whole.

Kim Langford Tejrar

INSPECTOR