



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/20/3250705

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/19/02232/FULL1, dated 10 May 2019, was refused by notice dated 16 October 2019
 - The development proposed is *'Four storey extension plus a basement level to provide 7 x 1 bed, 3 x 2 bed flats, provision of landscaping, waste storage area and 23 parking spaces in the basement'*.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. I have also dealt with another appeal (Ref. APP/G5180/W/20/3258325) 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 202, 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,
 - Whether the proposal would provide the mix of housing type required to meet local needs, and;
 - Whether the proposal would provide safe and inclusive access.

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 deliver 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. The new entrance area provided for the undercrofted parking would create vertical emphasis and a taller appearance than the actual proposed four storeys.
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 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 ten residential units, in the context of a shortage of a supply of land to meet identified housing need. 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 and would include flank and angled windows. The flank windows would

provide direct overlooking of neighbouring properties, particularly no.1 Anerley Park, and potentially some limited overlooking at the furthest existing balconies of Park House. The distance from no.9 Anerley Park would prevent any overlooking, overbearing or overshadowing effect on that property.

12. 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 of Park House, would result in loss of outlook and overbearing impact. 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.
13. The proposal does not include balconies and makes no provision for private amenity space. Whilst there is generous shared amenity space at the rear of the site and the site is close to Crystal Palace Park, this is not an adequate substitute for private space. The proposal does not comply with requirements and fails to provide adequate private space.
14. For these reasons, the proposal would have an unacceptable adverse impact on the living conditions of neighbouring occupiers and would fail to provide adequate living conditions for future occupiers of the development, 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 fit for the purpose of meeting occupant's needs, whilst protecting amenity of existing occupiers.

Housing Need

15. Policies 4 and 37 of the BLP seek to ensure inclusive development which meets the needs of all. The Council aims to deliver a greater proportion of family-sized residential units, proportionate with local identified need. The proposal would provide a greater proportion of non-family sized units. However, the Council cannot demonstrate a sufficient supply of deliverable housing and the proposal would contribute ten units towards unmet housing need. Whilst the accommodation may not reflect the desired proportions, and thus the quantity of benefit is somewhat eroded, the benefit is nonetheless to be given substantial weight.

Accessibility

16. The proposal includes a designated disabled parking bay with close level access to a lift to allow disabled access to the flats. Despite the building having more than one access, 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.
17. The Appellant provided details regarding the undercroft ramp gradient with the appeal and the Council has withdrawn its concern in this respect. The Council

has, however, introduced a further concern in respect of the overall height of the undercroft, which was not included in the original reason for refusal.

18. The Appellant has provided a cross section plan (Ref. 18855-PL-112) indicating the proposed height of the undercroft access to be 2.13 metres. This would allow access for a broad range of domestic vehicles, including larger vehicles such as SUVs, 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.
19. 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

20. 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. In the absence of a planning obligation agreement, it is not clear how this benefit would be secured and directed.
21. The Appellant has provided a Surface Water Management Strategy with the appeal and, subject to the imposition of a condition, the parties now agree that the reason for refusal relating to sustainable urban drainage has fallen away.

Conclusion and Planning Balance

22. 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.
23. 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 ten residential units towards unmet housing need; a benefit to which I attach substantial weight.
24. However, a more sensitive densification of the site with a high-quality design could 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. The appeal is therefore dismissed.

Kim Langford Tejrar

INSPECTOR