



Appeal Decision

Site visit made on 19 April 2021

by Eleni Randle BSc (hons) MSc FRICS FAAV MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 May 2021.

Appeal Ref: APP/G5180/W/20/3261299

Adam House, 1B Thesiger Road, Penge, London SE20 7NQ

- 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 Kent House Properties against the decision of London Borough of Bromley Council.
 - The application Ref DC/20/01388/FULL1 dated 15 April 2020, was refused by notice dated 9 June 2020.
 - The development is for proposed part ground floor and first floor extension to the existing shed, to create an office for the manager to the flats.
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Decision

1. The appeal is allowed and planning permission is granted for proposed part ground floor and first floor extension to the existing shed, to create an office for the manager to the flats at Adam House, 1B Thesiger Road, Penge, London SE20 7NQ in accordance with the terms of the application ref: DC/20/01388/FULL1, dated 15 April 2020, subject to the following conditions:
 - 1) The development to which this permission relates must be begun not later than the expiration of 3 years, beginning with the date of this decision;
 - 2) The development hereby permitted shall not be carried out otherwise than in complete accordance with the following approved plans: combined plan ref: KD/SHED/PP01/122/15(19)/T-88.2 (December 2019) unless previously agreed in writing by the Local Planning Authority;
 - 3) Details of arrangements for bicycle parking (including covered storage facilities where appropriate shall be submitted to and approved in writing by the Local Planning Authority prior to any above ground works on site. The approved details shall be completed prior to occupation of any part of the development is first occupied and retained for the lifetime of the development;
 - 4) Unless otherwise agreed in writing the Local Planning Authority the materials used for the external surfaces of the development hereby permitted shall as far as is practicable match those of the existing building;
 - 5) The use shall remain as an office for the manager of the flats at Adam House, 1B Thesiger Road and for no other purpose;
 - 6) No development shall commence on site (including demolition) until such time as a Construction and Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority. As a minimum the plan shall cover:-

- (a) Dust mitigation and management measures.
- (b) The location and operation of plant and wheel washing facilities
- (c) Measure to reduce demolition and construction noise
- (d) Details of construction traffic movements including cumulative impacts which shall demonstrate the following:-
 - (i) Provide full details of the number and time of construction vehicle trips to the site with the intention and aim of reducing the impact of construction related activity.
 - (ii) Measures to deal with safe pedestrian movement.
 - (iii) Full contact details of the site and project manager responsible for day-to-day management of the works
 - (iv) Parking for operatives during construction period
- (e) Hours of operation
- (f) Other site specific Highways and Environmental Protection issues as requested on a case by case basis

The development shall be undertaken in full accordance with the details approved under Parts a-f.

Procedural Matters

- 2. Since the determination of this application the London Plan 2021 (a Replacement Plan) has been published by the Mayor. This London Plan replaces all previous versions. On this occasion the refusal reason relates solely to conflict with a single policy of the Bromley Local Plan 2019 (LP) and no policies within the London Plan. Given this, and the issues raised as a result of the refusal reason, it is not considered on this occasion that the publication of the London Plan changes the assessment of this appeal.

Main Issues

- 3. The main issue is the impact of the proposal upon the character and appearance of the street scene.

Reasons

- 4. The appeal site is located on the South West corner of a former public house which has been converted into residential flats and currently consists of a single storey, flat roofed, detached brick outbuilding which is triangular in shape. The Council consider that the amendments at ground floor, including the extension and the introduction of a door to enclose the refuse area are not objectionable from a design perspective. They confirm that the ground floor extension is generally modest in scale and the elevational changes, including the new door, would provide a better level of screening for the refuse area. I find no reason to conclude differently on this element so the refusal reason is based upon the first floor extension. The appeal will therefore focus upon that element.
- 5. At the time of my site visit I walked along Thesiger Road and found that the built form, within the surrounding area of the appeal site, has no distinctive or established character or appearance. There is a mix of two, and three, storey residential and commercial developments with pitched roofs but also evidence of flat roofed development too including on the adjacent flats and buildings behind the appeal site. Within the street scene the appeal site is located between a two storey commercial building and a three storey residential

building which vary notably in appearance. There is also a further block of flats within the immediate area with a differing design. I find that this thus provides scope for a range of development styles within the area.

6. The proposal would sit hard on the boundary, at two-storeys, for a depth of around 7.9m and would be more prominent than the existing building as a result of an additional storey. Despite this I find that much of the view of the proposed first floor extension would be viewed against existing built form in the immediate area around the appeal site. In addition the proposal would match the existing building line of the adjacent flats, immediately adjacent to the pavement and highway, which are at a significantly greater height than the proposal. This reduces the proposals perceived dominance within the street scene due to it presenting as a subservient building compared to the adjacent built form. I find that it matches the already boxy design of the flat roof extensions, and dormers, to Adam House which are highlighted in the appellant's submissions.
7. As a result of this I do not find that the proposal would result in a dominant or incongruous form of development which would be harmful to the character, or appearance, of the street scene. The proposal would be consistent with LP Policy 37 which requires developments to complement the scale, proportion, form, layout and materials of adjacent buildings.

Conditions

8. The Council have provided suggested conditions should this appeal be allowed. The appellant has been given further opportunity to comment, without prejudice to the determination of the appeal, on the conditions suggested – most specifically acceptance of the construction management plan which is essentially a pre-commencement condition. A time condition is attached to comply with section 51 of the Planning and Compulsory Purchase Act 2004. A condition requiring the development to be in accordance with the approved plans is required in order to control and define the development which is granted consent. A condition requiring details for bicycle parking is required in the interests of sustainable development and reduction in reliance on the private car.
9. A condition requiring the materials to match the existing building is required to ensure a satisfactory finish. A condition relating to submission of a construction and environmental management plan is required to protect amenities of nearby residential properties and ensure pedestrian and vehicular safety during construction. I have amended this condition in so far as some elements as suggested were not applicable to the appeal site. A condition controlling use of the office for the manager of the flats only enables control of the site and any alternative uses to be fully assessed by the Council in the future via subsequent application.

Conclusion

10. For the reasons outlined above, and taking account all other matters raised, I conclude that the appeal should be allowed subject to conditions.

Eleni Randle

INSPECTOR