



Appeal Decision

Site visit made on 10 December 2020

by Mr M Brooker DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 May 2021

Appeal Ref: APP/G5180/W/20/3257695

2 Westcott Close, Bickley, Bromley BR1 2TU

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr Nigel Styles, South East Living Group against the decision of the Council of the London Borough of Bromley.
 - The application Ref DC/20/01460/OUT, dated 22 April 2020, was refused by notice dated 25 June 2020.
 - The development proposed is described as the demolition of the existing garage and the erection of a three bedroom chalet bungalow with parking and tandem double garage for No2 .
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Decision

1. The appeal is allowed and planning permission is granted for the demolition of the existing garage and the erection of a three bedroom chalet bungalow with parking and tandem double garage for No2 at 2 Westcott Close, Bickley, Bromley BR1 2TU in accordance with the terms of the application, Ref DC/20/01460/OUT, dated 22 April 2020, subject to the conditions set out in the attached schedule.

Preliminary Matter

2. The application to which this appeal relates was made in outline including details of access and layout, with all other matters reserved. The appellant has submitted plans showing the elevations and other aspects of the appeal scheme over and above details of access and layout. Because the approval of such details have not been sought, I have treated these details as being illustrative.
3. Since the date of the decision The London Plan 2021 (LP 2021) was published on 1 March 2021 and is now part of the development plan. The Council's decision notice referred to Policies 7.4 and 7.6 of The London Plan 2016 (LP 2016), which are now superseded. Policies D1, D3 and D4 of the LP 2021 are relevant replacements for LP 2016 Policies 7.4 and 7.6, insofar as they deal with delivering good design and for development proposals to respond positively to local distinctiveness.

Main Issue

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

Reasons

5. Policy 1 of the London Borough of Bromley Local Plan (the Local Plan) seeks to maintain a supply of housing, Policy 3 specifically refers specifically to 'backland and garden land development' and together with Policies 4, 8 and 37 requires, amongst other matters, that new development does not have unacceptable impacts on the character and appearance of the area, landscaping and amenity space.
6. The appeal site, consisting of part of the garden of 2 Westcott Close, is located at the end of a cul-de-sac on a small estate of similarly sized well-proportioned detached dwellings. The character of the area is intrinsically suburban but otherwise open in character and appearance, in particular with regards established landscaping and open space to the edges of the estate.
7. The plot of No.2 is shown on the submitted plans as being appreciably larger than many other plots on the estate and my observations at the site visit confirmed this. The appeal site, located to the side/rear of No.2, is not widely viewed in the estate.
8. The proposed dwelling, described as a chalet bungalow, is shown on the submitted plans as being narrower and deeper than No.2 and other properties in the area. Nonetheless, the appeal scheme maintains a number of key characteristics of the surrounding area, in particular a degree of separation to the neighbouring properties and open garden space around the property is maintained.
9. The Council details that the appeal scheme would erode the "Westcott Close-Ringmer Way-Ripley Close cluster's spacious perimeter buffer strip". In practice this relates to the garden areas of the properties. While the appeal scheme would remove some of the garden space of No.2, the submitted plans show that nonetheless substantial open space to the edges of the estate would still be retained.
10. My attention has been drawn to the property built at 17 Ringmer Way in the grounds of 15 Ringmer Way, which was allowed at appeal¹. The situation of the site and the dwelling are similar to this appeal in that each site occupies an end of cul-de-sac corner, both host properties appeared to have/had larger gardens than some of the properties around them. This is a material consideration in the determination of the appeal, and I give it some weight.
11. The appeal scheme would provide a single additional dwelling in an accessible and established area, where it is not disputed by the parties that there is an absence of a 5-year housing land supply. This is a material consideration that weighs in favour of the proposal and I give it some weight. Furthermore, I note that policy 1 of the LP supports the provision of new housing.
12. For the reasons detailed above I therefore find that the proposed development would not harm the character and appearance of the area and is therefore not contrary to Policies 1, 3, 4, 8 and 37 of the Local Plan. Neither do I find conflict with Policies D1, D3 or D4 of the LP 2021.

Other Matters and Conditions

¹ APP/G5810/A/13/2203757

13. A number of neighbours have provided detailed comments in objecting to the appeal scheme. In addition to the effect of the proposed development on the character and appearance of the area, concerns have been raised with regards overlooking and a subsequent loss of privacy for the occupiers of neighbouring properties. Based on the submitted plans before me, I am satisfied that, subject to the submission of appropriate details regarding appearance, landscaping and scale to the Council, the proposed development would be sufficiently separated from the adjacent dwellings and will not harm the privacy of the occupiers of neighbouring properties.
14. Turning to Conditions, I have included conditions relating to the life of the permission, approved plans and the submission of reserved matters in the interests of clarify and to define the planning permission. In the interests of highway safety I have included a condition to ensure that the garage and car parking spaces are available for car parking by the occupiers and their visitors. In the interests of the environment and the living conditions of the occupiers of neighbouring properties I have included the requirement for the submission and implementation of details to control surface water disposal and a construction method statement.

Conclusion

15. For the reasons given above I conclude that the appeal should be allowed.

Mark Brooker

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall be carried out in accordance with the following approved plans in so far as they relate to access and layout: PB835 101 Rev C – April 2020.
- 2) Details of the appearance, landscaping and scale (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development takes place and the development shall be carried out as approved.
- 3) Application for approval of the reserved matters shall be made to the local planning authority not later than 3 years from the date of this permission.
- 4) The development hereby permitted shall take place not later than 2 years from the date of approval of the last of the reserved matters to be approved.
- 5) The garage hereby permitted and car spaces to be provided shall be kept available at all times for the parking of motor vehicles by the occupants of the dwellings and their visitors and for no other purpose.
- 6) No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by the local planning authority. The Statement shall provide for:
 - i) the parking of vehicles of site operatives and visitors;

- ii) loading and unloading of plant and materials;
- iii) storage of plant and materials used in constructing the development;
- iv) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- v) wheel washing facilities;
- vi) measures to control the emission of dust and dirt during construction;
- vii) a scheme for recycling/disposing of waste resulting from demolition and construction works;
- viii) delivery, demolition and construction working hours.

The approved Construction Method Statement shall be adhered to throughout the construction period for the development.

- 7) No building hereby permitted shall be occupied until surface water drainage works shall have been implemented in accordance with details that shall first have been submitted to and approved in writing by the local planning authority. Before any details are submitted to the local planning authority an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system, having regard to Defra's non-statutory technical standards for sustainable drainage systems (or any subsequent version), and the results of the assessment shall have been provided to the local planning authority. Where a sustainable drainage scheme is to be provided, the submitted details shall:
- i) provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
 - ii) include a timetable for its implementation; and,
 - iii) provide, a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

End of Schedule