



Appeal Decision

Site visit made on 26 January 2022

by N Praine BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24th February 2022

Appeal Ref: APP/G5180/W/21/3278445

24A Beaumont Road, Petts Wood, Orpington BR5 1JN

- 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 C Nanwani against the decision of the Council of the London Borough of Bromley.
 - The application Ref DC/21/00765/FULL1, dated 16 February 2021, was refused by notice dated 25 June 2021.
 - The development proposed is for proposed extensions/alterations and conversion to form 1 x 2 bedroom and 1 x 3 bedroom flat with associated car parking, amenity areas, cycle and refuse storage facilities.
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Decision

1. The appeal is allowed, and planning permission is granted for proposed extensions/alterations and conversion to form 1 x 2 bedroom and 1 x 3 bedroom flat with associated car parking, amenity areas, cycle and refuse storage facilities at 24A Beaumont Road, Orpington BR5 1JN, in accordance with the terms of the application, Ref DC/21/00765/FULL1, dated 16 February 2021, subject to the conditions set out in the attached Schedule.

Preliminary Matters

2. There was a previous appeal at this site¹ for the demolition of the existing conservatory; the addition of a first floor to the bungalow with a loft conversion and front rooflight; a part two storey front extension and a part two storey rear extension with elevational alterations. At the time of writing this appeal decision remains extant.
3. The main parties are in agreement that, for the purposes of this current appeal, the proposed extensions to the bungalow would be very similar in external appearance to those allowed in the previous appeal. I have therefore determined the current appeal on this basis.

Main Issues

4. The main issues in this appeal are:
 - the effect of the proposed development on the character and appearance of the area; and
 - the adequacy of parking provision.

¹ APP/G5180/D/20/3249778

Reasons

Character and appearance

5. This part of Beaumont Road is predominantly characterised by a diverse mix of detached and semi-detached dwellings of varied design and form. The properties are mainly two storey with a scattering of bungalows within the street scene. Dwellings sit to the front of their plots with parking areas forward of the dwellings and gardens behind these dwellings.
6. It is proposed to undertake similar works to those allowed under the previous appeal. However, internal changes are also proposed to facilitate the conversion of the appeal property into a three-bedroom flat and a two-bedroom flat. It is also proposed to split the rear garden in two to allow each flat to have a rear garden area.
7. I agree with the parties that the external differences between the previous appeal and the current appeal when viewed from public vantage points would generate no additional harm in visual terms. The rear gardens would remain as garden space, albeit separated into two and with bicycle stores incorporated. The proposed gardens would be well separated and predominantly screened from public vantage points.
8. Despite somewhat conflicting evidence on privacy, quietude, and garden sizes in the Council's officer report and statement, it appears that the crux of the Council's concerns relate to the concentration of activity into the garden area of each flat.
9. While the subdivision of the garden would certainly introduce a more intensive use, this is a modest net increase of one dwelling. It is reasonable to assume that clothes drying, children's recreation, general relaxation and entertainment would take place in the proposed gardens, as they are typical activities in residential areas. The proposed gardens would allow sufficient space for these activities. In the absence of any evidence to the contrary, I consider that the proposed gardens would not adversely impact the character of the surrounding area, particularly when the screening and separation from public vantage points is taken into account.
10. I therefore conclude the proposed development would have an acceptable effect on the character and appearance of the area. Accordingly, I find no conflict with Policies 4, 9 and 37 of the Bromley Local Plan (the Local Plan), Policies D3 and D4 of the London Plan (2021), the Council's Supplementary Design Guidance, Paragraphs 126 and 130 of the National Planning Policy Framework (The Framework) and the National Design Guide, all of which amongst other things seek to ensure satisfactory design which does not harm the character or appearance of the area and to create well-designed and well-built places.

Parking provision

11. It is common ground that the appeal site has a Public Transport Accessibility Level (PTAL) of 2. Policy 30 of the Local Plan normally requires off street parking in accordance with associated Table 1: Residential Parking Standards. Table 1 confirms that sites in PTAL 2 fall into two categories, PTAL 0-2 and PTAL 2-6a.

12. If taking Table 1's minimum standards and applying them to this site, the minimum standards would be between 1.7 and 2.5 parking spaces. The proposed development would provide 2 parking spaces.
13. In justifying the need for a further parking space to address the identified deficit of 0.5 spaces, the Council considers that the site is not as close to accessible travel facilities as other parts of the area. Furthermore the Council confirms that the appeal site lies within an area where on-street parking associated with local schools takes place. Data from the Census 2011 indicates 1.39 car ownership per household and it is possible that car ownership may have increased in the intervening years since the census was undertaken.
14. Vehicles can currently park on both sides of the road without restriction, however, given the proximity of local schools, accessible travel facilities and higher levels of car ownership it is necessary to apply a higher minimum requirement for parking. The supporting text to Policy 30 of the Local Plan indicates that minimum levels of parking are required to ensure new developments do not generate additional intrusive or obstructive on-street parking.
15. Therefore, taking this higher minimum parking standard leaves an undersupply of 0.5 parking spaces. While limited in quantum, this undersupply of parking conflicts with Policy 30 of the Local Plan. In the absence of evidence that on-street parking can accommodate additional overspill parking, this limited harm weighs against the proposal.
16. I therefore conclude that the proposed development would provide inadequate parking provision in conflict with Policy 30 of the Local Plan as set out above.

Planning Balance

17. The main parties agree that the Council is unable to demonstrate a five-year supply of deliverable housing sites. As such, paragraph 11 of the National Planning Policy Framework (the Framework) should therefore be applied.
18. Paragraph 60 of the Framework refers to 'boosting significantly' the supply of housing. Both parties agree there is a significant undersupply of housing. The provision of one net additional unit would make a modest contribution in this context. I also accept this is in an urban area where access to facilities is likely to be greatest and there would be a social benefit in providing an extra housing unit. There would also be further modest economic advantages which would arise from the construction and occupation of a new unit.
19. There is, however, a limited degree of harm arising from the undersupply of parking in conflict with Policy 30 of the Local Plan. The supply of one housing unit, while of modest benefit, would contribute to housing supply in what has been acknowledged by both parties as a 'significant undersupply'.
20. When assessed against the policies in the Framework taken as a whole, the limited harm would be demonstrably outweighed by the benefits. Therefore, the proposal would be a sustainable form of development. The conflict with the development plan is outweighed by other considerations including the Framework.

Other Matters

21. I note neighbours have raised concerns in respect to privacy, noise and light. In respect of privacy, and light, the scheme is very similar in design to the previous appeal. Given the very similar design, I see no reason to come to a different conclusion. Turning to noise, I consider that the increase in one additional housing unit would not generate unacceptable noise levels. Additionally, noise pollution is considered under other Environmental Health regimes.
22. Concern about precedent has been raised, however, any future planning applications would be considered at the point of submission on their own individual merits.

Conditions

23. The Council has provided a list of suggested conditions and I have assessed these regarding the advice provided in the Planning Practice Guidance on conditions². I have amended the wording of some conditions for clarity. Conditions 1 and 2 are required in the interests of certainty. Conditions 3 and 4 are also necessary to ensure that the development is in keeping with the character and appearance of the area. Condition 5 is required to ensure appropriate surface water drainage and Condition 6 is required for the provision of refuse storage and bicycle parking facilities.

Conclusion

24. For the above reasons, having regard to the development plan as a whole, the approach in the Framework and all other relevant material considerations, the appeal should succeed subject to the conditions in the attached schedule.

N Praine

INSPECTOR

² Paragraph: 21a-003-20190723

Schedule of Conditions

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 3403-19-PL101 Revision P1 and 3403-19-PL103 Revision P1.
- 3) Prior to commencement of above ground works, details (including samples) of the materials to be used for the external surfaces of the building which shall include roof cladding, wall facing materials and cladding, window glass, door and window frames, decorative features, rainwater goods and paving where appropriate shall be submitted to and approved in writing by the Local Planning Authority. Once approved, the development shall be carried out in accordance with the approved details.
- 4) Details of boundary treatments (including any gates, walls or fences) shall be submitted to and approved in writing by the Local Planning Authority prior to construction of any above ground works. The approved details will be completed prior to occupation of the development hereby approved and retained in accordance with the approved details.
- 5) Prior to the construction of above ground works details of the drainage system for surface water drainage to prevent the discharge of surface water from private land on to the highway shall be submitted to and approved in writing by the Local Planning Authority. The approved drainage system will be completed prior to occupation of the development hereby approved and retained in accordance with the approved details.
- 6) Details of arrangements for bicycle parking (including covered storage facilities where appropriate) and storage of refuse and recyclable materials (including means of enclosure for the area concerned where necessary) shall be submitted to and approved in writing by the Local Planning Authority prior to construction of any above ground works. The approved details will be completed prior to occupation of the development hereby approved and retained in accordance with the approved details.