



Appeal Decision

Site visit made on 14 September 2022

by Ryan Cowley MPlan (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 OCTOBER 2022

Appeal Ref: APP/G5180/W/22/3294627

87 Avenue Road, Beckenham BR3 4RX

- 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 & Mrs French against the decision of the Council for the London Borough of Bromley.
 - The application Ref DC/21/04390/FULL1, dated 2 September 2021, was refused by notice dated 1 February 2022.
 - The development proposed is single storey detached dwelling with external amenity space to replace existing building.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The Council refer to Policy D4 of The Spatial Development Strategy for Greater London (the London Plan), adopted March 2021, in their second reason for refusal. This policy concerns the use of tools for design analysis, design review processes and maintaining design quality through to completion. I do not consider it to be directly relevant to the reasons the Council consider the proposal is unacceptable. However, both parties refer to Policy D6 of the London Plan, which I have been provided a copy of and which appears to be directly relevant to the Council's concerns. I have therefore considered the appeal, and more specifically the second main issue, in the context of Policy D6 of the London Plan, in addition to the other relevant development plan policies and associated guidance referred to.

Main Issues

3. The main issues are:
 - The effect of the proposal on the character and appearance of the area; and
 - Whether the proposal would provide satisfactory living conditions for its future occupiers, with particular regard to internal and external space provision and outlook;

Reasons

Character and Appearance

4. The appeal site is in a prominent location adjacent to the junction of Avenue Road and Ravenscroft Road. The surrounding area, and in particular Ravenscroft Road, is characterised predominantly by traditional two storey

dwellings, often in a terraced or semi-detached arrangement. Dwellings are typically set back from the street by modest front garden areas or off-street parking spaces. Some have been converted into ground and first floor flats. I saw on site that at the junctions of Avenue Road with Ravenscroft Road, Birkbeck Road and Mackenzie Road, it is common for corner plots fronting onto Avenue Road to feature development to the rear.

5. The appeal proposal would be located on a small square plot of land between 87 Avenue Road and 101 Ravenscroft Road. The area is currently enclosed by a high wall and, in views from the street, reads as part of the neighbouring garden. The proposed development would replace an existing single storey outbuilding, set back from the footpath. It would extend the existing blank brick walls either side of the existing building, with a frontage onto Ravenscroft Road. The front and side elevations of the proposal would be largely devoid of features, save for a single front facing window and gate. To the side it would adjoin 101 Ravenscroft Road, extending forward of its front elevation considerably.
6. The proposal would therefore appear as a largely featureless block, projecting into the street scene. It would create an abrupt end to the attractive terrace along this side of Ravenscroft Road. As a separate dwelling it would appear cramped, extending to the boundaries of the site, and would be entirely out of keeping with those adjacent.
7. I acknowledge there are existing examples of development to the rear of corner plots in this area. However, the context, appearance and function of other examples are not directly comparable to the appeal case. Notwithstanding this, the extent to which they contribute positively to the character and appearance of the area is limited. Where existing examples adjoin or sit close to neighbouring buildings to the rear, as is the case with the appeal proposal, they have a harmful impact on the setting of the adjacent building and have an enclosing effect on the street scene. I therefore consider they do not weigh heavily in favour of the appeal proposal.
8. I also recognise that the existing building on site is in a state of disrepair, and the site is somewhat overgrown and unkempt. The condition of the building is partly screened however by the boundary wall. While some modest benefit to the appearance of the area would accrue through redeveloping the site, this would largely be offset by the identified harm caused by the appeal proposal.
9. I find that the proposal would result in harm to the character and appearance of the area, contrary to Policies 3, 4 and 37 of the Bromley Local Plan¹ (the Local Plan), adopted January 2019. These policies, amongst other things, seek to ensure new residential developments respect local character, appearance, spatial standards, physical context and density, and positively contribute to the street scene.

Living Conditions

10. The Government's nationally described space standard² (NDSS) contains minimum internal space requirements for dwellings, with 37 square metres (sq.m.) set as the minimum standard for a one-bedroom, one-person dwelling

¹ Local Development Framework Local Plan London Borough of Bromley Planning Division January 2019

² Technical Housing Standards – Nationally Described Space Standard, Department for Communities and Local Government, March 2015.

laid out over a single storey. This requirement is applied in a local context within Policy D6 of the London Plan and Standard 24 of the London Plan Housing Supplementary Planning Guidance³ (the Housing SPG), adopted March 2016. In turn, the London Plan minimum space standards (as updated) are a component of Policy 4 of the Local Plan.

11. The appellant has stated that the proposed single storey dwelling, which would include one bedroom and accommodation for one person, would have an internal floor area of 37 sq.m. Based on the submitted plans however, the Council's measurement of 35.6sq.m appears to be more accurate. The proposal would in that case fall short of the minimum internal space standards for this type of dwelling.
12. Even if the internal space standards were met, the proposed dwelling would only feature a single window providing any meaningful outlook, serving the proposed living area. While there is a secondary living room window, and a single bedroom window, both directly face each other at short distance, overlooking a small, enclosed external courtyard area. The appellant highlights that the front door could be partially glazed, however this would also look out across the small courtyard, directly onto a high wall and fence. The proposal also features two roof lights, serving the kitchen and bathroom. While providing additional light to internal spaces, none of these other windows would provide any meaningful outlook. The internal living spaces, and bedroom particularly, would feel considerably enclosed and suffer from poor outlook.
13. The appellant acknowledges that the external private amenity space proposed, comprised solely of the small entrance courtyard, would fall short of space standards set within the London Plan. In addition to its inadequate size, this space would be considerably enclosed by high walls, and function as a bin store and the sole access route into the dwelling. Its use as a meaningful private amenity space for the enjoyment of future occupiers would therefore be limited. While the site may be within reasonable walking distance of public open space, this would not provide a private amenity space for future occupiers or compensate for inadequate provision.
14. I find that the proposal would fail to provide satisfactory living conditions for its future occupiers, with particular regard to internal and external space provision and outlook, contrary to Policies 4 and 37 of the Local Plan. The proposal is also contrary to Policy D6 of the London Plan. These policies, amongst other things, seek to ensure new residential developments respect the amenity of future occupants, demonstrate minimum space standards and provide sufficient external private amenity space that is practical. The proposal is also contrary to the provisions of the Housing SPG, which indicates all new dwellings should meet the NDSS.

Other Matters

15. The Council acknowledge they cannot currently demonstrate a five-year housing land supply. Paragraph 11(d) of the National Planning Policy Framework (the Framework) is therefore applicable. Paragraph 11(d) indicates that permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole.

³ Housing Supplementary Planning Guidance March 2016 London Plan 2016 Implementation Framework

16. The Framework seeks to significantly boost housing supply. It emphasises the value of using suitable brownfield land within settlements for homes. It also encourages the optimal use of underutilised land. The proposal would contribute to the housing supply and use previously developed land in an existing urban area with access to transport and services. Additional residents may also contribute to the local economy and vitality of the community, and the proposal would provide a temporary boost in employment during construction. Given the scale and context of the proposal, these benefits would however be very modest.
17. The Framework also highlights that good design is a key aspect of sustainable development. It seeks to ensure development is sympathetic to local character and the surrounding built environment and provides a high standard of amenity for existing and future occupiers. As above, the proposal would have adverse impacts in the form of harm to the character and appearance of the area and the living conditions of future occupiers.
18. It is my view that the adverse impacts identified above would significantly and demonstrably outweigh the modest benefits when assessed against the policies in the Framework taken as a whole. The proposal therefore does not benefit from the presumption in favour of sustainable development, and this therefore does not outweigh the identified harm and development plan conflict.
19. The Council has commented that the proposal would have a significant detrimental amenity impact on the neighbouring properties. Similar concerns have been raised in third party representations. The effect of the proposal on the living conditions of occupiers of neighbouring properties did not however form part of the reason for refusal set out in the Council's decision notice and, as the appeal is to be dismissed for other reasons, it is not necessary for me to consider this matter further.
20. I acknowledge that residential development in this location may be acceptable in principle and the proposal may be compliant with various other provisions of the development plan. However, the absence of harm or development plan conflict with respect to other relevant matters is neutral and weighs neither for nor against the proposal.

Conclusion

21. The other matters raised do not outweigh my conclusions on the main issues or the identified conflict with the development plan. For the reasons given above, I therefore conclude that the appeal should be dismissed.

Ryan Cowley

INSPECTOR