



Appeal Decision

Site visit made on 4 October 2022

by Stewart Glassar BSc (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 October 2022

Appeal Ref: APP/G5180/W/22/3291789

1 Ickleton Road, Mottingham, London SE9 4BD

- 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 Liam and James Swift against the decision of the Council of the London Borough of Bromley.
 - The application Ref DC/21/02709/FULL1, dated 27 May 2021, was refused by notice dated 6 September 2021.
 - The development proposed is the erection of a detached 2 storey 3 person dwelling in the side garden of 1 Ickleton Road.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposed development on (a) the character and appearance of the area; and (b) the living conditions of neighbouring occupiers.

Reasons

Character and Appearance

3. The area in the immediate vicinity of the appeal site generally comprises two storey dwellings, arranged as either small terraces or as semi-detached dwellings. These properties are generally finished in brick with brown tiled roofs. Houses are set back from their site frontages and there is limited built form close to street corners and junctions. Although the roads are not wide, the width of the footways and the grass verge on Beaconsfield Road compensate and cumulatively all these factors combine to give the area a spacious character to which the appeal site positively contributes.
4. The proposed dwelling would maintain the established building lines along both Beaconsfield Road and Ickleton Road. I acknowledge that this helps to reduce the effect of the development on the spacious character of the area. However, as a result of this the available area on which to erect any structure is constrained.
5. Consequently, the form and appearance of the proposed dwelling would be out of keeping with the buildings immediately around the site. The somewhat contrived roof design would accentuate the noticeably narrow appearance of the Beaconsfield Road elevation when compared to the neighbouring built form, notwithstanding that its finishes and fenestration would match other properties in the area.

6. In itself the sub-division of one larger curtilage into two smaller plots may not necessarily be unacceptable. However, in this case the rear garden of the new dwelling, which is the most private part of the curtilage and therefore often the most used, would be particularly constrained and out of keeping with the character of the area.
7. As a whole, the development would have a cramped, incongruous appearance and so not reflect the established built form nor prevailing spacious pattern of development within the locality.
8. The appellant references other developments having been granted permission on corner plots in surrounding roads, but I do not have the full details and thus cannot be sure they represent a direct parallel. Putting aside that weight is a matter for the decision maker in each case, the concerns I have identified chiefly relate to the effect of this particular proposal on its immediate environment, rather than the principle of developing such sites. As such, direct comparison with other schemes is not instructive and does not alter the harm I have identified.
9. I conclude that the development would harm the character and appearance of the area. Accordingly, the development conflicts with the requirements of Policies 4, 8 and 37 of the Bromley Local Plan 2019 (BLP) insofar as they seek to ensure developments respect local character.

Living Conditions of Neighbouring Occupiers

10. The reason for refusal refers to the effect of the development on neighbouring properties. The Council has identified the occupants of No. 1 Ickleton Road as being most likely to be adversely affected by the new building. I have no reason to conclude otherwise in respect of the other neighbouring properties.
11. The rear elevation of the new dwelling would face towards the side elevation of this host property. The proposed upper floor window would serve a bedroom. No.1 has two first floor side windows facing the new dwelling although one appeared to be obscurely glazed and the other appeared to serve a landing/stairs. Whilst the window-to-window distance is not large, given the nature of these windows and the parts of the houses they would serve, it does not appear to me that living conditions of the occupants of No.1 Ickleton Road would be unduly affected.
12. The rear garden of the new dwelling would be positioned adjacent to the side of No.1 and its parking area. However, the use and enjoyment of the host property's retained rear garden would not be unduly overlooked or compromised by this positioning.
13. I conclude that the development would not harm the living conditions of neighbouring occupiers. Accordingly, the development complies with the requirements of Policies 4, 8 and 37 of the BLP insofar as they seek to ensure developments respect the living conditions of neighbouring occupiers.

Other Matter

14. The proposal is said to meet various standards and requirements, including those relating to size, position, garden area, access etc. However, compliance with these measures would be expected in order for the scheme to be

considered acceptable. Therefore, they are not matters which weigh positively in favour of the scheme.

Planning Balance and Conclusion

15. The Council has confirmed that it is unable to demonstrate a 5-year housing land supply. Paragraph 11 (d) of the Framework directs that in such circumstances the policies which are most important for determining the appeal should be considered to be out of date.
16. The Government's objective is to significantly boost the supply of housing. The appeal site would provide an additional dwelling that would accord with the Framework's support for windfall sites. However, a single dwelling would make only a small contribution towards addressing the Council's shortfall in housing supply. There would be associated social and economic benefits although some of these would be limited by virtue of time and the scale of the proposal. Overall, and for these reasons, I would attach only a modest amount of weight to these factors.
17. For the reasons given, I have found that the proposal would harm the character and appearance of the area. As such, the proposal would conflict with Paragraph 130 of the Framework which, amongst other things, seeks to ensure that new development is sympathetic to local character. Furthermore, by failing to safeguard the environment, the scheme would run counter to key components of the Framework's overall objective of making effective use of land. In view of the above and given that the harm I have found would be long lasting, I find it worthy of significant weight.
18. The adverse impacts of allowing the appeal would therefore significantly and demonstrably outweigh the benefits. In these circumstances, the proposal would not therefore be sustainable development for which the presumption in favour applies.
19. For the above reasons, having considered the development plan as a whole, the approach in the Framework, and all other relevant material considerations, the appeal is dismissed.

Stewart Glassar

INSPECTOR