



Appeal Decision

Site visit made on 10 August 2022 by R Dickson BSc (hons) MSc

Decision by L McKay MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 01 November 2022

Appeal Ref: APP/G5180/D/22/3296622

99 Hillcrest Road, Orpington BR6 9AG

- 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 Ms Aimee Glynn against the decision of the Council of the London Borough of Bromley.
 - The application Ref DC/21/03827/FULL6, dated 15 July 2021, was refused by notice dated 1 February 2022.
 - The development is the construction of a boundary wall adjacent to the highway.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary Matters

3. The appeal refers to the front boundary wall adjacent to the highway only. The walls constructed along the boundaries of the appeal site and Nos 97 and 101 do not form part of the appeal. The front boundary wall has already been constructed and accords with the submitted plans. I have therefore considered the appeal on the basis that the development has already taken place.

Main Issue

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

Reasons for the Recommendation

5. Hillcrest Road is a wide, linear, residential road. The houses on each side of the road are set back, so that each house has a large front garden and driveway. Houses on Hillcrest Road generally have either a low brick wall or a hedge between the front garden and the highway, which forms the character of the area.
6. The front boundary wall of 99 Hillcrest Road is significantly taller than any other boundary wall on Hillcrest Road, creating a strong sense of enclosure across the frontage, only slightly reduced by the access. This is jarring in comparison with the more open character created by other boundary treatments in the area, and as such the wall is an incongruous addition to the

street scene. The design of the wall, particularly its form and scale, is out of character with the simple, low brick walls characteristic of this part of Hillcrest Road, and it is therefore harmful to the character of the area. I have not been provided with details of what was there before and therefore can only consider the development before me.

7. Other examples of taller boundary walls have been provided by the appellant. 109 Bromley Common is situated on a busy road with a range of boundary treatments and heights. 22 Goodmead Road is bound by a busy road, and again has other examples of mid to high level boundary walls nearby. Both of these examples are in keeping with their own context and street scene, which are quite different to Hillcrest Road. I do not have addresses for the other sites for which images have been provided, details of their wider context or the dates the images were taken. Furthermore, the images show other taller boundary treatments nearby. Therefore, each is materially different to the context of the appeal site, and they do not justify the harm that the appeal scheme causes.
8. The appellant states that if the appeal fails, they would consider rebuilding the wall further from the highway, under permitted development. There is therefore a greater than theoretical possibility that this would take place. However, if the wall were set back, it would be partly hidden from view by the side walls and its visual impact reduced. Therefore, it would be less harmful than the development before me, and I give the fallback position limited weight.
9. Accordingly, the boundary wall harms the character and appearance of the area. It therefore conflicts with Policy 37 of the London Borough of Bromley Local Plan 2019 in so far as it fails to complement the scale, proportion, form and layout of adjacent buildings and areas, and fails to make a positive contribution to the existing street scene.

Conclusion and Recommendation

10. The development conflicts with the development plan and there are no other material considerations that justify granting permission. Therefore, for the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

R Dickson

APPEAL PLANNING OFFICER

Inspector's Decision

11. I have considered all the submitted evidence and the Appeal Planning Officer's report and agree with the recommendation. On that basis the appeal is dismissed.

L McKay

INSPECTOR