



Appeal Decision

Site visit made on 5 March 2024

by J Moore BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 April 2024

Appeal Ref: APP/G5180/W/23/3329412

62 Brookmead Avenue, Bickley, Bromley BR1 2LA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Dave Lamoon against the decision of the Council of the London Borough of Bromley.
 - The application Ref is DC/23/01476/FULL1.
 - The development proposed is demolition of garage, subdivision of plot and erection of one detached dwellinghouse with associated access and parking.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The description of development on the application form includes substantial wording which does not form acts of development. Having regard to the description used in the decision notice, I consider it to be clearer, and therefore I have used this description in my banner heading above.
3. The submitted plans indicate the presence of an existing side extension proposed to be removed. At my visit I saw that this structure was almost fully demolished. I have considered the proposal as submitted.

Main Issues

4. The main issues are the effect of the proposal upon the character and appearance of the area; and whether the proposal would provide adequate car parking arrangements.

Reasons

Character and appearance

5. The appeal site is located in a residential area, where dwelling forms are predominantly two-storey. The host property (No 62) is a semi-detached brick-built form with shared gable roof, with windows positioned flush to the elevations. Together with its adjoining neighbour at No 64 and the semi-detached pair of dwellings opposite, its appearance is typical of the other semi-detached and terraced forms towards the north.
6. However, properties to the south of the appeal site are generally of a different character. The Council advises that they were originally designed with catslide roofs. Some properties have been extended or modified, such that there is some variety in roof forms, and some properties have entrances on the front elevation rather than the side flank. Nevertheless, consistent features such as

- bay windows, tudor-style detailing and render give a harmonising appearance overall.
7. Plot widths and depths in both areas are generally consistent, with gaps between built forms such that there is an open feel to the wider area and a regular rhythm to the streetscene.
 8. Having regard to all of the above, I find that the appeal site is located at a point between contrasting areas in terms of character and appearance.
 9. The proposed two-storey detached dwelling would have a ridge height above that of No 62 and No 60. I note that the eaves height would also be higher than neighbouring built forms.
 10. Due to its siting and overall scale and width, the proposed dwelling would occupy almost all of the existing gap between built forms, leaving a narrow gap towards No 60. Therefore, this would undermine the open character between built forms.
 11. The proposed bay windows with a tudor-style gable above and a rendered finish would give some degree of harmony with the appearance of property forms to the south. However, I note that the top of the proposed windows to the front elevation would be higher than that of both neighbouring property forms.
 12. These factors would combine to result in a built form that would appear prominently discordant within the streetscene and undermine its rhythm. The proposal therefore fails to achieve a sensitive transition between areas of a differing character and appearance, due to its overall scale, height and width and due to aspects of its design.
 13. In reaching this finding, I have taken into account the detached property at No.9a Brookmead Avenue. While the full details of the circumstances which led to its construction are not before me, I saw at my visit that its ridge and eaves height, together with the position, size and alignment of windows and doors within the front elevation matched that of its host, which is not the case in the scheme before me.
 14. I have also taken account of photographs provided by an interested party which are stated to demonstrate the nature of the street scene, However, I have not been provided with the address of these properties, nor any details demonstrating the circumstances of any development that may have been constructed.
 15. Some images appear to show newly built dwellings adjoining a terraced row with the same ridge and eaves heights, and thus they are not directly comparable to the scheme before me. Others appear to show extensions to semi-detached properties, which confirm the variety of roofscape and the nature of modifications that I saw during my visit to the area. Another shows 9a Brookmead Avenue, which I have considered above.
 16. I therefore conclude that the proposal would unacceptably harm the character and appearance of the area. It conflicts with Policies 3, 4 and 37 of the Bromley Local Plan 2019 (BLP) and Policy D3 of the London Plan 2021 (LP). When taken together, these policies seek to ensure that development is of a high standard of design, and (among other things) respects and does not unacceptably harm

the character and appearance of the area; and optimises site capacity that responds to a site's context.

Car Parking

17. The Council's parking standards are set out in Policy 30 of the BP (table 1). As the appeal site is within an Outer London borough and within an area with a Public Transport Accessibility Level (PTAL) of 1a, where access to public transport is poor, minimum parking standards apply.
18. Given the PTAL rating of the area, it is likely that future occupiers would be reliant on private forms of transport, including private vehicles. If the proposal failed to deliver sufficient car parking spaces, there is a risk that additional demand for on-street parking would arise, potentially displacing other demand for parking and/or increasing risk to highway safety. This risk is acknowledged by the appellant in their statement of case.
19. There is some confusion in terms of the number of proposed bedrooms and the number of proposed car parking spaces, and whether the proposal would meet the minimum standards as set out in table 1.
20. According to the submitted plans, the proposed dwelling would have four bedrooms (including 3 double bedrooms) and would therefore accommodate 7 persons. However, the application form and Design and Access Statement (DAS) indicate a 4 bedroomed dwelling for 4 persons. On this basis, table 1 indicates a minimum requirement of 2 spaces for the proposed dwelling.
21. Due to the internal layout and size of the proposed bedrooms, the Council considers the proposal to be a 3 bedroom/5 person unit when assessed against internal space standards. The appellant does not contest the Council's position in this regard. On this basis, a minimum requirement of 1.5 spaces is indicated in table 1.
22. Taken together, the proposed plans and DAS indicate only one car parking space for the proposed dwelling. However, the appellant's appeal statement suggests that two parking spaces would be provided to serve the proposed dwelling.
23. The DAS and appellant's statement of case indicates that a car parking space would be created within the remaining frontage of No 62. This space is not indicated on the proposed block plan or proposed ground floor plan, although a car is indicated on some elevation drawings.
24. However, there is no robust evidence before me to demonstrate the number of bedrooms within the host property at No 62. The Council considers that the proposal as a whole could require either 3 or 4 spaces, the latter on an assumption that the host property may have more than 2 bedrooms.
25. No further evidence has been submitted to clarify this matter, and therefore I cannot be certain whether the total proposed provision (whether it would be 3 or 4 spaces) would meet the minimum car parking standards. Moreover, I cannot be certain that two spaces could be safely achieved within the remaining frontage at No 62.
26. The Council draws my attention to the absence of a parking stress survey. However, it is not clear as to whether the Council requested such a survey in

order to determine the application. The consultation response of the local highway authority does not refer to any parking stress. Interested parties suggest there is no parking stress, due to the availability of off-street parking within many properties.

27. In any event, it has not been robustly demonstrated that the proposal as a whole would meet the minimum parking standards and that such requirements can be safely achieved within the appeal site. Therefore, I cannot be certain that the proposal would not result in an increased risk to highway safety.
28. I therefore conclude that the proposal fails to demonstrate adequate car parking arrangements. It conflicts with Policies 30 and 32 of the BLP and Policies T6 and T6.1 of the LP. Among other things, these policies seek to ensure that new developments do not generate additional intrusive or obstructive on-street parking as a result of inadequate on-site provision and do not adversely affect highway safety.

Other Matters

29. The absence of objections and of any harm to the amenities of neighbouring occupiers are neutral factors in my assessment, offering no weight for or against the proposal.
30. The Council's appeal submissions indicate a concern regarding plot size. However, this matter was not addressed within the officer report which considered the application; the appellant has not considered it in their statement of case, and no final comments have been submitted. As I am dismissing the appeal for other reasons, I have not considered this matter further.

Planning Balance and Conclusion

31. The Council is unable to demonstrate a five-year supply of deliverable housing sites and advises that the supply is 3.38 years. The appellant does not dispute this position. There are no areas or assets of particular importance that provide a clear reason to refuse the proposed development.
32. In these circumstances, the Framework sets out that planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies of the Framework taken as a whole.
33. The policies with which the proposal conflicts are consistent with the objectives of the Framework to achieve well designed and beautiful places and promote sustainable transport. As such, I apportion significant weight to these identified policy conflicts.
34. The proposal would provide a new dwelling and therefore it would contribute to the supply of housing and support the government's objective to significantly boost the supply of homes. As a small site it could be built out relatively quickly. However, these benefits would be limited by the scale of the development proposed. I therefore attach limited weight to these matters.
35. Further economic benefits would arise during the construction process, but these would be temporary. The proposal would deliver additional household

expenditure into the economy, but this would be of a limited scale. Such benefits would attract limited weight.

36. Drawing all of the above together, it is clear that the benefits of the proposal would not outweigh the unacceptable harm that I have found, when assessed against the policies in the Framework taken as a whole.
37. The proposal conflicts with the development plan when read as a whole, and there are no other material considerations, including the Framework, which would indicate a decision other than in accordance with it.
38. Therefore, for the reasons given above, the appeal is dismissed.

J Moore

INSPECTOR