



Appeal Decisions

Site visit made on 27 May 2025

by **U P Han BSc (Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 18 June 2025

Appeal A Ref: APP/G5180/W/25/3361617

Glebe Housing Association Ltd, Bencurtis Park, West Wickham, Bromley BR4 9QD

- 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 Glebe Housing Association against the decision of the Council of the London Borough of Bromley.
 - The application Ref is 24/02041/FULL1.
 - The development proposed is described as 'Ground Floor - Internal alterations to create Flat 1A, 2nd Floor - Internal alterations to create Bedsit 38A, 3rd Floor - Internal alterations to create Bedsit 58A.'
-

Appeal B Ref: APP/G5180/W/25/3361618

Glebe Housing Association Ltd, Bencurtis Park, West Wickham, Bromley BR4 9QD

- 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 Glebe Housing Association against the decision of the Council of the London Borough of Bromley.
 - The application Ref is 24/02042/FULL1.
 - The development proposed is described as 'Lower Ground Floor - Internal alterations to create Bedsit 17A, Ground Floor - Internal alterations to create Bedsit 35A, First Floor - Internal alterations to create Bedsit 54A.'
-

Appeal A: Decision

1. The appeal is allowed and planning permission is granted for 'Ground Floor - Internal alterations to create Flat 1A, 2nd Floor - Internal alterations to create Bedsit 38A, 3rd Floor - Internal alterations to create Bedsit 58A at Glebe Housing Association Ltd, Bencurtis Park, West Wickham, Bromley BR4 9QD in accordance with the terms of the application, Ref 24/02041/FULL1, and the drawings numbered - Sarjeant Court Proposed Flats and Bedsits Existing and Proposed Part Ground Floor Plan, Existing and Proposed Part Second Floor Plan, Existing and Proposed Part Third Floor Plan 001, subject to the following conditions:
 - 1) Within 3 months of the date of this decision, details of arrangements for bicycle parking (including covered storage facilities where appropriate) associated with the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority. Those bicycle parking spaces shall be provided within 1 month of any approval by the Local Planning Authority and retained thereafter.
 - 2) Any gas boiler(s) installed as a result of the development hereby approved shall have a maximum NOx emissions not exceeding 40mg/kWh. Evidence that the boiler(s) meet this emission rate shall be submitted to and approved in

writing by the Local Planning Authority within 3 months of the date of this decision.

- 3) Units 38A and 58A Sarjent Court shall be occupied as guest accommodation only and shall not be occupied as a sole or main place of residence or by any persons exceeding a period of 28 days in any calendar year. An up to date register shall be kept at Sarjent Court and be made available for inspection by the local planning authority upon request. The register shall contain details of the names of all of the occupiers of the accommodation, their main home addresses and their date of arrival and departure from the accommodation.

Appeal B: Decision

2. The appeal is allowed and planning permission is granted for 'Lower Ground Floor - Internal alterations to create Bedsit 17A, Ground Floor - Internal alterations to create Bedsit 35A, First Floor - Internal alterations to create Bedsit 54A Glebe Housing Association Ltd, Bencurtis Park, West Wickham, Bromley BR4 9QD in accordance with the terms of the application, Ref 24/02042/FULL1, and the drawings numbered - Willis Court Proposed Flats and Bedsits Existing and Proposed Part Ground Floor Plan, Existing and Proposed Part Second Floor Plan, Existing and Proposed Part Third Floor Plan 001, subject to the following conditions:
 - 1) Within 3 months of the date of this decision, details of arrangements for bicycle parking (including covered storage facilities where appropriate) associated with the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority. Those bicycle parking spaces shall be provided within 1 month of any approval by the Local Planning Authority and retained thereafter.
 - 2) Any gas boiler(s) installed as a result of the development hereby approved shall have a maximum NOx emissions not exceeding 40mg/kWh. Evidence that the boiler(s) meet this emission rate shall be submitted to and approved in writing by the Local Planning Authority within 3 months of the date of this decision.

Preliminary Matters

3. These are conjoined appeals by the same appellant for similar development on adjacent sites. Appeal A relates to Sarjeant Court and Appeal B relates to Willis Court which are physically linked within Bencurtis Park. The sites were subject to two separate planning applications for proposals to undertake internal alterations to create a total of six additional studios/ bedsits.
4. I have considered each proposal on its own individual merits. However, given the shared context and in the interests of consistency and efficiency, I have dealt with the two schemes together, except where otherwise indicated.
5. At my site visit I observed that internal alterations had taken place in respect of both Appeals A and B, and that some of the rooms were occupied by residents. The alterations undertaken are consistent with the submitted plans.

Main Issues

6. The main issues in Appeal A are:

- whether the development provides adequate living conditions for the occupants of Flat 1A with regard to layout, light and outlook; and
- whether the development provides adequate living conditions for the occupants of Bedsits 38A and 58A with regard to the size of the internal living space.

7. The main issue in Appeal B is:

- whether the development provides adequate living conditions for the occupants of Bedsit 17A, 35A and 54A with regard to the size of the internal living space, layout, light and outlook.

Reasons

8. Policy 4 of the Local Development Framework Local Plan London Borough of Bromley (January 2019) (the LP) requires all new housing development to meet minimum space standards as set out in the London Plan (LonP). It is not disputed by the main parties that the space standards do not apply to specialist housing, as clearly stated in the supporting text of the policy. The term specialist housing includes student, sheltered and HMO accommodation, as explained in the supporting text of Policy 4.
9. The Council contends that as the development in Appeals A and B do not constitute a care home and residents are able to subsist independently, it would be required to meet the minimum space standards for dwellings set out in the LonP. However, while the development in Appeals A and B do not form part of a care home, they are part of an existing sheltered housing development which has been specifically designed to support older people who want to live independently but with the reassurance of support if needed. National Planning Practice Guidance (PPG) identifies different types of specialist housing for older people, which includes retirement living or sheltered housing.
10. Sarjeant Court and Willis Court contain studios and one- and two-bedroom flats, each with a kitchen and bathroom. There are extensive communal areas for residents of both sites to use, including a main lounge, games room, large hall/ dining room and smaller lounges and laundry rooms on each floor of the two buildings. Outside there are communal gardens, a bowling green, allotments and greenhouses. Residents live independently with 24-hour access to support services and staff, and meals are also available. Consequently, I consider that the development in appeals A and B form part of specialist housing for older people. As such, the minimum space standards for dwellings referred to in Policy 4 of the LP do not apply.
11. Notwithstanding this, the Council expects a satisfactory standard of accommodation to be provided in applications relating to specialist housing. Policy 4 of the LP requires all new housing development to achieve a high standard of design and layout.

Appeal A

Flat 1A Sarjeant Court

12. While the windows of Flat 1A have a higher cill level, they are of a sufficient size to allow a good distribution of natural light throughout the interior of the flat.

Furthermore, the open plan layout of the main living area enhances daylight penetration and creates a greater sense of space despite its single aspect nature. Although the windows are positioned near the external ground level, they nonetheless provide a reasonable level of outlook due to the spacious, green setting of the building.

13. For the reasons given, I conclude that the development provides adequate living conditions for the occupants of Flat 1A with regard to layout, light and outlook. The development complies with Policy 4 and 37 of the LP and Policy D6 of the LonP insofar as they require development to achieve high standards of design and layout and provide adequate light.

Bedsits 38A and 58A Sarjeant Court

14. The appellant indicates that bedsits 38A and 58A are used as guest facilities for visiting family members. Both units are identical in size and layout, measuring 19 sq m. each and containing a bathroom and small kitchen. During my site visit, the units were unoccupied by any guests.
15. The small size of the units limits storage and circulation space and would be restrictive as long-term living environments. However, 38A and 58A are suitable as guest facilities for visiting family or friends of existing residents given their location, size and en-suite facilities.
16. The appellant has indicated that a planning condition limiting 38A and 58A to use by visiting family members only would be acceptable. On this basis and given the restricted amount of space in units 38A and 58A as long-term living accommodation, a planning condition would be necessary to ensure those units are used as guest accommodation only.
17. For the reasons given, I conclude that bedsits 38A and 58A Sarjeant Court do not provide adequate living conditions with regard to the size of the internal living space. However, 38A and 58A Sarjeant Court are suitable as guest facilities. Therefore, the imposition of a condition restricting the use of 38A and 58A Sarjeant Court to guest accommodation only would prevent the creation of inadequate living conditions for occupants with regard to the size of the internal living space. As such, the development complies with Policies 4 and 37 of the LP and Policy D6 of the LonP insofar as they require development to achieve high standards of design and layout.

Appeal B

18. Bedsits 17A, 34A and 54A are identical in size and layout. While I do not have precise measurements of the units, during my site visit, I saw that there was sufficient space for sleeping, sitting, food preparation and storage. While the layout of the units is efficient and compact, the residents currently living in them seemed comfortable. The accommodation appeared to suit their lifestyle and meet their needs.
19. Crucially, the units form part of specialist older persons accommodation where residents typically require less private space due to the presence of extensive shared facilities such as communal lounges, dining areas and gardens. So, while the layout of the units is efficient, they are supported by the wider service offer of the complex, which collectively ensures that the accommodation meets functional

and comfort needs. Given the specific context and target demographic, I consider the size of the units to be acceptable and appropriate.

20. The Council is of the view that outlook from and light ingress to the existing windows of the bedsits is restricted due to the enclosed location of the flats in the corner of the building. However, each of the bedsits have four windows (three serving the main habitable space and one serving the bedroom area) ensuring a good level of natural light and a varied outlook. The different orientation of the windows offers views in different directions, thereby avoiding any sense of enclosure or poor outlook.
21. For the reasons given, I conclude that the development provides adequate living conditions for the occupants of Bedsits 17A, 34A and 54A with regard to the size of the internal living space, layout, light and outlook. The development complies with Policy 4 and 37 of the LP and Policy D6 of the LonP insofar as they require development to achieve high standards of design and layout and provide adequate light.

Conditions

22. The Council has provided a list of suggested planning conditions, which I have considered against the National Planning Policy Framework and advice contained in PPG. Where appropriate, I have amended the wording for clarity and precision.
23. For Appeals A and B, a standard time condition and a condition requiring compliance with plans is not necessary as the development has already commenced.
24. For Appeals A and B, a condition requiring details of arrangements for the timely provision of bicycle parking is reasonable and necessary in the interests of reducing reliance on private car transport. Also, in order to minimise the impact of development on local air quality in both appeals, a condition requiring that they meet ultra-low NOx emission rates is necessary to comply with Policy S11 of the LonP.
25. For Appeal A, it would be necessary to impose a condition requiring that units 38A and 58A Sarjeant Court are only used as guest accommodation. This is to ensure the units are not used as independent, self-contained dwellings for long-term occupation.

Conclusions

26. For the reasons given above, I conclude that Appeal A should be allowed.
27. For the reasons given above, I conclude that Appeal B should be allowed.

U P Han

INSPECTOR