



Appeal Decision

Site visit made on 30 June 2025

by Nicola Davies BA DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 July 2025

Appeal Ref: APP/G5180/W/25/3363295

186, 188 and 190 Bromley Road, Beckenham BR3 6PG

- 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 Ben Carrington of Bensez Property limited against the decision of The London Borough of Bromley.
 - The application Ref is DC/24/00583/FULL1.
 - The development proposed is the demolition of existing 3no. single family dwelling houses and construction of new part 3 storey residential development comprising 23 units with associated underground parking and communal landscaping.
-

Decision

1. The appeal is dismissed.

Preliminary Matter

2. The appellant has submitted amended plans with the appeal which include a reduction in number of units proposed from 23 to 20 and changes to the internal layout of the proposed building, elevation alterations, including additional windows, and a reduction in the number of parking spaces. The revisions materially alter the proposal. Therefore, in the interests of natural justice and fairness to all parties I have dealt with the appeal on the basis of the scheme and drawings that were considered and determined by the Local Planning Authority and upon which interested people's views were sought, noting that the proposal received a significant amount of third party interest/comments. If the appellant wishes to pursue a revised scheme, a fresh planning application could be made to the Council.

Main Issues

3. The main issues raised by this appeal are the effect of the proposed development on: -
 - a) The character and appearance of the site and area;
 - b) The living conditions of future occupiers;
 - c) Housing needs; and
 - d) Parking provision and sustainable travel.

Reasons

Character and appearance

4. There are a number of different styles of dwellings within the vicinity. Opposite the site to the east is a 2.5 storey apartment building. Bromley Park Care Home that is not far from the appeal site is a large 4 storey building. I acknowledge that both of these buildings are larger than other properties along the part of Bromley Road.
5. The appeal site is occupied by three detached houses that form part of a line of similarly sized two storey houses. The existing dwellings running westward from Ashmere Avenue are set back from the highway behind front gardens. This feature, along with the landscaped frontages, gives this stretch of residential properties a suburban character. There is a distinctiveness to the character of the development to this part of Bromley Road, being two storey dwellings, which differs to that at other locations along this highway. These existing dwellings positively contribute to the suburban character of the locality and the separation between dwellings contributes positively to the spacious character and appearance of the area.
6. The proposed footprint of the development would be substantially larger than that of the existing three dwellings. Whilst the main building line to Bromley Road would be maintained, the front gables of the proposed development would project forward of the frontage building line. As such, the proposal would extend further forward than that of the existing dwellings. It would also have a deeper projection of built development at the rear. The overall size of the development would be substantially larger than that of the existing three dwellings and would appear as a consolidated block of built development.
7. The development would appear as a large, uncharacteristic development out of keeping with the smaller two storey dwellings within this row of properties fronting onto Bromley Road. Being a singular block of development this would diminish the spaciousness that is characteristic of the area. In addition, its position at a higher gradient than other properties would increase the visual prominence of this large development within the street scene. This would be particularly noticeable in public views at the corner of Bromley Road and Ashmere Avenue where the flank elevation would appear substantially larger than the existing property that it would replace.
8. Consequently, the proposed development would not assimilate successfully within this locality and would be a visually harmful development, despite there being other large developments in the wider locality.
9. For these reasons, I conclude that the proposed development would be harmful to the character and appearance of the site and area. The proposal would, therefore conflict with Policies D3 and D4 of the London Plan and Policies 4 and 37 of the Bromley Local Plan. These policies seek, amongst other matters, development to complement the scale, proportion, form, layout and materials of adjacent buildings and areas and it should positively contribute to the existing street scene. The imposition of a suitably worded materials planning condition would not ameliorate my concerns sufficiently that would allow for permission to be forthcoming.
10. I have been referred to a flatted development at No.79 Bromley Road. It is highlighted that the proposed scheme follows the same roof form as the scheme at

79 Bromley Road, having pitched roofs and protruding frontages along Bromley Road. From the information I have before me I see that that development hosts some similarity to that of the one that is before me. However, that site is at a different location on Bromley Road and has a different context within the Bromley Road street scene. The considerations pertaining to that development will be different to those of this proposal. The proposal that is before me can and should be considered on its own individual merits having regard to the context of the site's street scene.

Living conditions

11. The London Plan Guidelines for Housing Standards require new homes to meet minimum internal floor space standards and to be dual aspect unless exceptional circumstances make this impractical or undesirable. It also provides guidance relating to outlook for habitable rooms, amongst other matters. Whilst the floor space standards would be met, the Local Planning Authority raises concerns with regard to the design and arrangement of the new homes within the development, particularly in respect of the number of single aspect units within the scheme. Whilst it is noted that most habitable rooms within the scheme would have good outlook, there are exceptions on the second floor where 4 bedrooms would be served only by roof light. As such, these rooms would have very limited outlook. Further concern is raised to the ramped access arrangement. The Local Planning Authority suggest that this could be redesigned to improve both the shared access and provide better screening for flat 5.
12. With regard to daylight, the Local Planning Authority has assessed all habitable rooms and has determined that 78.7% would surpass the recommended levels of daylight. However, this indicates a proportion of habitable room within the proposed development would not.
13. With regard to sunlight, BRE guidance requires that the sunlight testing is applied to rooms of all orientations, noting that rooms facing north of due east or west are unlikely to meet the targets. The Local Planning Authority has identified that 10 out of 23 units would receive little or no sunlight at all, due to their north facing orientation.
14. London Plan Policy S4.B states development proposals/residential scheme likely to be used by children and young people should incorporate good-quality, accessible play provision for all ages. At least 10 square metres of play spaces should be provided per child. On the Local Planning Authority's calculations, a development of this size and mix would require a total of 94.5 square metres of dedicated children's play space. It has been questioned whether some open parts of the site, such as the site frontage, would be suitable for play space given the proximity to the public highway. It is also questioned as to whether an area of approximately 100 square metres of child play area would indeed be achieved, as advocated by the appellant. In order to address the concerns relating to the children's play facilities the appellant suggests a suitably worded planning condition could be imposed relating to hard and soft landscaping. However, given the uncertainty as to whether appropriate space for child play can be provided within the proposed scheme, such a condition would be inappropriate as there is no clear indication it would resolve the concern.

15. Policy D6 of the London Plan and Standard C10 of the London Planning Guidance Housing Design Standards requires a minimum of 5 square metres private outdoor space to be provided for a 1 to 2 person dwelling and an extra 1 square metres to be provided for each additional occupant, and it must achieve a minimum depth and width of 1.5m. All of the flats would benefit from private amenity space, although 9 balconies would be marginally below the minimum space standards. Nonetheless, there would be the opportunity to make use of the shared outdoor space.
16. Policy D7 of the London Plan requires at least 10% of all new dwellings to be designed to meet Building Regulation Requirement Part M4(3) for 'wheelchair user dwellings' while all other dwellings should meet Building Requirement Part M4(2) 'accessible and adaptable dwellings'. The Local Planning Authority say that no accessible units are provided. However, the appellant say this is incorrect and the scheme proposes 10% of the units to be accessible, in line with standards.
17. Cross ventilation has been referred to within the Council's second reason for refusal. However, I do not consider that there is sufficient information within the submissions before me to enable me to come to a view on this matter.
18. Overall, I am not persuaded that the proposed development would provide the quality of housing as advocated by the Standards, noting particularly that many of the units would be single aspect with, in some instances, limited access to natural daylight and sunlight. Furthermore, there is uncertainty as whether or not any of the flats would be accessible units. In addition, it is not clear whether or not adequate child play space would be provided. The occupiers of the flats should reasonably expect to enjoy a reasonable living standard. I do not find that this would be the case for many of the future occupiers of the development.
19. For these reasons, I conclude that the proposed development would be harmful to the living conditions of future occupiers. The proposal would, therefore conflict with Policies D3, D5, D6, D7 and S4 of the London Plan and Policy 37 of the Bromley Local Plan. These policies seek, amongst other matters, development to be of high quality design and provide adequately-sized rooms with comfortable functional layouts which are fit for purpose. They also seek development to maximise the provision of dual aspect dwellings, provide sufficient daylight, sunlight and private outdoor and child play space with a proportion of the units being accessible.

Housing needs

20. London Plan Policy H10 indicates that schemes should generally consist of a range of unit sizes having regard to factors including local evidence of need. This Policy supports well-designed one and two-bedroom units in suitable locations such as town centres or sites with high public transport accessibility level (PTAL) ratings. The 2014 Strategic Housing Market Assessment (SHMA) 2014 sets out the housing need up to 2031. However, the Council contends that the SHMA is out of date due to its age and should not be relied upon to provide justification for the proposed housing mix, particularly in this location, which has poor public transport access and connectivity.
21. The proposal would result in the loss of three large family dwellings (3+ bedrooms) without any re-provision, replacing them with 8 one-bedroom units and 15 two-bedroom units. The site is neither located within a town centre nor in an area with

an excellent PTAL rating, which is the requirement of Policy H10. The age of the SHMA reduces the weight that should be attributed to it and the tenure needs that it advocates. As such, there is no clear indication that would justify market housing consisting of one and two-bedroom units at this site or within in the immediate area that would clearly demonstrate the loss of large family dwellings to be acceptable. The proposal does not clearly demonstrate that it would meet the housing needs of the Borough such that would foster a mixed and balanced community.

22. For these reasons, I conclude that the proposed development has not demonstrated that it would meet the housing needs of the Borough. This brings the proposal in to conflict with Policy H10 of the London Plan and Policy 1 of the Bromley Local Plan as the proposal does not demonstrate that it would meet a local housing need.

Parking provision and sustainable travel

23. Policy T6 of the London Plan states that car-free development should be the starting point for all development proposals in places that are (or are planned to be) well-connected by public transport, with developments elsewhere designed to provide the minimum necessary parking ('car-lite'). The Public Transport Accessibility Rating of this outer London site is rated at 2/3, on a rating between 0 to 6b where 0 is worst and 6b is best. Within this PTAL location the London Plan permits up to 0.75 space per dwelling (1-2 beds). The Council indicates that this would give rise to a requirement for a maximum number of 17 parking spaces for the proposed development.
24. Eighteen car parking space have been proposed. Whilst this would exceed the London Plan standard, this would only be by one parking space. I do not consider this to be so excessive such that there would substantial conflict with Policy T6 or that would result in harm to sustainable travel. I conclude that the proposed development would not conflict with Policies T2 and T6 of the London Plan having regard to parking provision and sustainable travel.

Other Matters

25. The Council cannot demonstrate a 5-year housing land supply of deliverable housing sites. As such, the provisions of paragraph 11d) of the National Planning Policy Framework (the Framework) should be applied.
26. The Council accepts that there is presently a significant undersupply of housing sites. The proposal would boost the supply of housing. The proposal would make a modest and positive contribution to the supply of housing within the Borough. The proposal would also provide some economic benefit during construction, although this would be temporary and limited.
27. The proposal would have an adverse impact on the character and appearance of the area, living conditions of future occupiers and housing mix. Taken collectively these adverse impacts attract substantial weight and therefore significantly and demonstrably outweigh the benefits to housing land supply when assessed against the policies of the Framework when taken as a whole. As a result, the presumption in favour of sustainable development does not apply.
28. Approximately 300m to the west along Bromley Road is the Grade II listed St Christopher's School. Immediately to its south are Nos. 124, 126, 128 Bromley

Road, which comprise Grade II listed houses designed by Ernest Newton in 1884. Their age and listed status make these buildings of architectural and historic value and this attracts special interest for these reasons. This gives these properties their significance. However, those properties are some distance from the appeal site and the development would not be experienced in the immediate environs of those building. Therefore, I do not consider the development would negatively impact upon the significance of those heritage assets.

29. The Local Planning Authority has set out the matter of securing financial contributions relating to construction environmental impact monitoring, carbon offset and air quality offsetting, along with securing an early stage affordable housing as part of a Section 106 legal agreement. However, as I have found that the proposal should fail I do not consider it prudent to progress this matter to completion.

Conclusion

30. Whilst I have found in favour of the appellant in terms of the fourth main issue, this does not overcome the identified harm in relation to the other main issues.
31. Having regard to the above findings, the appeal should be dismissed.

Nicola Davies

INSPECTOR