

PLANS SUB-COMMITTEE NO. 4

Minutes of the meeting held at 7.00 pm on 14 September 2017

Present:

Councillor Richard Scoates (Chairman)
Councillor Simon Fawthrop (Vice-Chairman)
Councillors Lydia Buttinger, Kate Lymer, Tony Owen,
Neil Reddin FCCA, Melanie Stevens, Michael Turner and
Angela Wilkins

Also Present:

Councillors Teresa Te

9 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

Apologies for absence were received from Councillors Nicky Dykes and Richard Williams; Councillors Tony Owen and Angela Wilkins attended as their respective substitutes.

10 DECLARATIONS OF INTEREST

No declarations of interest were received.

11 CONFIRMATION OF MINUTES OF MEETING HELD ON 20 JULY 2017

RESOLVED that the Minutes of the meeting held on 20 July 2017 be confirmed and signed as a correct record.

12 PLANNING APPLICATIONS

SECTION 2

(Applications meriting special consideration)

12.1 WEST WICKHAM

**(17/02202/FULL6) - 71 Corkscrew Hill,
West Wickham BR4 9BA**

Description of application – Conversion of loft to habitable accommodation together with the construction of two side dormers (one on each side) and one rear dormer with Juliet balcony, alterations to catslide roof and single storey rear, side and front extensions.

Oral representations in support of the application were received at the meeting.

Members having considered the report and representations, **RESOLVED that PERMISSION BE REFUSED** as recommended, for the reasons set out in the report of the Chief Planner.

12.2
CRYSTAL PALACE

**(17/02800/FULL1) - Keswick House,
207a Anerley Road, Penge, London SE20 8ER**

Description of application – Roof extension forming 1 2B3P unit and alterations to existing mansard and applied rendered coatings and changes to the glazing forming the main entrance.

Oral representations in support of the application were received at the meeting.

Further written comments in support of the application were received from the agent and circulated to Members.

The Development Control Manager confirmed that details of the materials listed on page 20 of the report were incorrect. He also advised Members of changes to conditions 4 and 5 of the recommendations on page 24 of the report.

Members having considered the report and representations, **RESOLVED that PERMISSION BE GRANTED** as recommended, subject to the conditions set out in the report of the Chief Planner with conditions 4 and 5 amended to read:-

'4 Details of a surface water drainage system (including storage facilities where necessary) shall be submitted to and approved in writing by the Local Planning Authority before any part of the development hereby permitted is commenced and the approved system shall be completed before any part of the development hereby permitted is first occupied and permanently retained thereafter.

Reason: To ensure satisfactory means of surface water drainage and to accord with Policy 5.12 of the London Plan.

5 The development hereby permitted shall not be carried out otherwise than in complete accordance with the plans approved under this planning permission unless previously agreed in writing by the Local Planning Authority.

Reason: In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of the visual and residential amenities of the area.'

A further condition was also added as follows:-
12 Details of the means of privacy screening for the balcony(ies) shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development hereby permitted. The development shall be carried out in accordance with the approved details and permanently retained as such.

Reason: In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of the appearance of the building, the visual amenities of the area and to maintain an acceptable level of privacy and residential amenity in respect of adjoining properties.

SECTION 3

(Applications recommended for permission, approval or consent)

12.3 PLAISTOW AND SUNDRIDGE

(17/01448/RECON) - 76 College Road, Bromley BR1 3PE

Description of application – Removal of Condition 8 of Planning Permission 16/02999/FULL1 for the change of use from a café to hot food takeaway (use Class A5) together with a new shopfront and installation of ventilation ducting to the rear in order to allow a delivery service.

Oral representations in objection to the application were received at the meeting.

Committee Member and Ward Member, Councillor Turner spoke in objection to the application raising serious concerns about traffic and parking issues. Councillor Buttinger referred to the local knowledge of Ward Councillors as an important element to be relied upon during consideration of all planning applications. Members having considered the report, objections and representations, **RESOLVED that PERMISSION BE REFUSED** for the following reason:-

1 The proposal would lead to an unacceptable intensification of the existing access within an area of poor visibility close to a junction, which would be prejudicial to the free flow of traffic condition and general safety in the highway, contrary to Policy T3 and T18 of the Unitary Development Plan.

12.4
CHISLEHURST

**(17/02441/FULL6) - Wengen, Elmstead Lane,
Chislehurst BR7 5EQ**

Description of application – Part one/two storey front extension and single storey rear extension.

Oral representations in objection to and in support of the application were received at the meeting.

Members having considered the report, objections and representations, **RESOLVED that PERMISSION BE GRANTED** as recommended, subject to the conditions set out in the report of the Chief Planner with the addition of two further conditions to read:-

4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order amending, revoking and re-enacting this Order) no buildings, structures, alterations, walls or fences of any kind shall be erected or made within the curtilage(s) of the dwelling(s) hereby permitted without the prior approval in writing of the Local Planning Authority.

Reason: In order that, in view of the nature of the development hereby permitted, the Local Planning Authority may have the opportunity of assessing the impact of any further development and to comply with Policy BE1 of the Unitary Development Plan.

5 Prior to the occupation of the development hereby permitted, amended plans shall be submitted to the Local Planning Authority and approved in writing which shows the removal of the flank facing ground floor window to the kitchen. The development shall be implemented in accordance with the plans and permanently retained thereafter.

Reason: In the interest of protecting neighbouring amenity in accordance with Policy BE1 of the Unitary Development Plan.

12.5
CHISLEHURST
CONSERVATION AREA

**(17/02923/FULL6) - 13 Acorn Close,
Chislehurst BR7 6LD**

Description of application – Detached triple garage.

Members having considered the report, **RESOLVED that PERMISSION BE GRANTED** as recommended, subject to the conditions set out in the report of the Chief Planner with the addition of a further two conditions to read:-

6 Notwithstanding the provisions of the town and Country Planning (General Permitted Development)

Order 2015 (or any Order amending, revoking and re-enacting this Order) no buildings, structures, alterations, walls or fences of any kind shall be erected or made within the curtilage(s) of the dwelling without the prior approval in writing of the Local Planning Authority.

Reason: In order that, in view of the nature of the development hereby permitted, the Local Planning Authority may have the opportunity of assessing the impact of any further development and to comply with Policy BE1 of the Unitary Development Plan.

7 The garage shall be used only for purposes ancillary to the main dwelling at 13 Acorn Close and only by members of the household occupying the dwelling; and shall not be severed to form a separate self-contained unit or used for any other purpose including residential occupation or commercial purposes.

Reason: In order to comply with Policy H8 of the Unitary Development Plan, to ensure that the accommodation is not used separately and unassociated with the main dwelling and so as to prevent an unsatisfactory sub-division into two dwellings or for an inappropriate commercial use.

**12.6
PETTS WOOD AND KNOLL**

**(17/02934/FULL6) - 255 Crescent Drive,
Petts Wood, Orpington BR5 1AY**

Description of application – First floor side extension.

Members having considered the report, **RESOLVED that PERMISSION BE REFUSED** for the following reason:-

1 The proposal does not comply with the Council's requirement for minimum 1 metre side space to be maintained to the flank boundary for the full height and depth of the building in respect of two storey development in the absence of which the extension would constitute a cramped, terraced form of development, out of character with the street scene, conducive to a retrograde lowering of the spatial standards to which the area is at present developed and contrary to Policy H9 of the unitary Development Plan.

**12.7
WEST WICKHAM**

**(17/02983/FULL6) - The Covert, Pickhurst Rise,
West Wickham BR4 0AA**

Description of application – First floor side extension.

Members having considered the report, **RESOLVED that PERMISSION BE GRANTED** as recommended, subject to the conditions set out in the report of the Chief Planner.

SECTION 4

(Applications recommended for refusal or disapproval of details)

**12.8
PETTS WOOD AND KNOLL**

**(17/03267/OUT) - 2 Woodland Way, Petts Wood,
Orpington BR5 1ND**

Description of application – Proposed outline application to consider matters of access, layout and scale for the demolition of the existing two storey dwelling house and the erection of a three storey block containing 6 residential units with associated access, parking, refuse storage and cycle storage.

Oral representations in objection to and in support of the application were received at the meeting.

It was reported that further objections to the application had been received.

Committee Member and Ward Member, Councillor Fawthrop, reported that the application breached various guidelines set out in the current Unitary Development Plan including:-

- the character of an ASRC;
- residential density;
- spatial standards of new developments;
- backland development; and
- front and rear building lines.

A full copy of Councillor Fawthrop's representation is attached as an Annex to these Minutes.

The Senior Planning Officer confirmed that 'Policy BE10' referred to on various pages of the report, should read 'Policy H10'.

Members having considered the report, objections and representations, **RESOLVED that PERMISSION BE REFUSED** as recommended, for the reasons set out in the report of the Chief Planner with reason 1 amended to read:-

'1 The proposed development, by reason of its size, bulk and layout would appear incongruous and out of character with the surrounding area and would be

harmful to the character and locality of the Petts Wood Area of Special Residential Character and contrary to the garden suburbs principles in which the area is developed, contrary to Policies BE1, BE10 and H7 of the Unitary Development Plan (2006) and Supplementary Planning Guidance No 1 and 2, London Plan Policies 3.4, 3.5, 7.4 and 7.6 (2015) and the objectives of the NPPF (2012).'

The following reason for refusal was also added:-

5 The proposed density of the development would be unacceptable and unreflective of the prevailing character of development in this Area of Special Residential Character and would therefore be harmful to the character of this protected area, eroding current spatial standards and therefore contrary to Policies BE1, BE10 and H7 of the Unitary Development Plan (2006) and Supplementary Planning Guidance No 1 and 2, London Plan Policies 3.4, 3.5, 7.4 and 7.6 (2015) and the objectives of the NPPF (2012).

**12.9
PETTS WOOD AND KNOLL**

**(17/03272/OUT) - 2 Woodland Way, Petts Wood,
Orpington BR5 1ND**

Description of application – Proposed outline application to consider matters of access, layout and scale for the demolition of the existing two storey dwelling house and the erection of a three storey block containing 7 residential units with associated access, parking, refuse storage and cycle storage.

Oral representations in objection to and in support of the application were received at the meeting.

It was reported that further objections to the application had been received.

Committee Member and Ward Member, Councillor Fawthrop, reported that the application breached various guidelines set out in the current Unitary Development Plan including:-

- the character of an ASRC;
- residential density;
- spatial standards of new developments;
- backland development; and
- front and rear building lines.

A full copy of Councillor Fawthrop's representation is attached as an Annex to these Minutes.

The Senior Planning Officer confirmed that 'Policy BE10' referred to on various pages of the report, should read 'Policy H10'.

Members having considered the report, objections and representations, **RESOLVED that PERMISSION BE REFUSED** as recommended, for the reasons set out in the report of the Chief Planner with reason 1 amended to read:-

'1 The proposed development, by reason of its size, bulk and layout would appear incongruous and out of character with the surrounding area and would be harmful to the character and locality of the Petts Wood Area of Special Residential Character and contrary to the garden suburbs principles in which the area is developed, contrary to Policies BE1, BE10 and H7 of the Unitary Development Plan (2006) and Supplementary Planning Guidance No 1 and 2, London Plan Policies 3.4, 3.5, 7.4 and 7.6 (2015) and the objectives of the NPPF (2012).'

The following reason for refusal was also added:-

5 The proposed density of the development would be unacceptable and unreflective of the prevailing character of development in this Area of Special Residential Character and would therefore be harmful to the character of this protected area, eroding current spatial standards and therefore contrary to Policies BE1, BE10 and H7 of the Unitary Development Plan (2006) and Supplementary Planning Guidance No 1 and 2, London Plan Policies 3.4, 3.5, 7.4 and 7.6 (2015) and the objectives of the NPPF (2012).

**12.10
CRAY VALLEY EAST**

**(17/03291/FULL1) - 5-7 Mountfield Way,
Orpington BR5 3NR**

Description of application – Retrospective installation of roller shutters.

Oral representations in support of the application were received. Oral representations from Ward Member Councillor Teresa Te in support of the application were received at the meeting.

It was reported that a further 240 letters in support of the application had been received.

Members having considered the report and representations, **RESOLVED that the application BE DEFERRED** without prejudice to any future consideration, to be considered under Section 2 of the agenda. Should the application be permitted at that meeting, a condition would be added requiring the maintenance and upkeep of the shutters and to remove graffiti should any occur.

13 **TREE PRESERVATION ORDERS**

13.1
COPERS COPE

**(17/01775/TPO) - 156 Bromley Road, Beckenham
BR3 6PG**

Description of application – Fell Oak x 1. SUBJECT
TO TPO 1501 (T1).

The Chairman stated he was aware of the possible
risk of an insurance claim arising in this matter.
Members having considered the report and
objections, **RESOLVED that PERMISSION BE
REFUSED** as recommended, for the reason set out in
the report of the Chief Planner.

The meeting ended at 8.25 pm

Chairman

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ITEMS 4.8 AND 4.9 – 2 WOODLAND WAY, PETTS WOOD, ORPINGTON

REPRESENTATIONS IN OBJECTION TO THE APPLICATION RECEIVED FROM COMMITTEE MEMBER AND WARD MEMBER, COUNCILLOR SIMON FAWTHROP

“Mr Chairman

The applications before us for 2 Woodland Way both fall within the Petts Wood Area of Special Residential Character (ASRC), which was designed and built on the Garden Suburb principle.

Before I commence on a detailed response, I'd like to draw to your attention to some inaccuracies within the report. The first being that reference is made in several places to Policy BE10 when in fact the report means UDP Policy H10.

No reference is made to the existing Petts Wood ASRC description (a copy of which I attach for the minutes) or to the proposed ASRC description outlined in Appendix 10.6 of the proposed Draft Local Plan (a copy of which is also attached) for an understanding of the impact that this proposal would have upon this Special Area).

It is also worth noting that there are two Article 4 Directions in place, one around the front boundary treatment to preserve the low level open feel and a second around the front roof line to preserve the appearance of the area and maintain standards.

The current UDP Appendix 1, paragraph 1.2 (copy attached), makes it quite clear that:-

- (i) new developments will be resisted if they erode the quality and character of the ASRC in respect of the ASRC description;
- (ii) residential density shall accord with that in the area;
- (iii) spatial standards of new developments (plot, width, garden depth and plot ratio, shall accord with the general pattern in the area;
- (iv) backland development will not be permitted; and
- (v) new developments should respect front and rear building lines.

These are just some of the guidelines that this application breaches. There is much more Mr Chairman included in Appendix 1, a litany of failure in respect of these applications.

In noting this report, I refute the comments on pages 62 and 77 where it is stated that “the Council will consider a higher density infill development”; that comment is both misleading to the applicant and a direct contravention of the existing UDP policy as set out in Appendix 1.

The same applies to the description that “the provision of a higher density residential development may be acceptable in principle”. In making any decision tonight I will be asking the Committee to specifically reject, as part of the recommendations, these two misleading statements, in addition to the recommendations contained within the report.

The fact is, that the Petts Wood ASRC is one of only two similar areas in London, the other being Hampstead Garden Suburb, which are of such an important quality that development cannot be a free for all. There are many examples of inspectors looking at the ASRC and recognising its importance. I attach a couple for you, one in relation to an end plot in Ladywood Avenue, which demonstrates that the spatial character is very important. The second is in relation to this plot and the findings of the previous inspector in full. Other inspectors' upholding of the ASRC will also be available as part of this application.

One thing is clear, when the plots were established in Petts Wood, it was for family housing with generous plot sizes and gardens as well as garages. Both of these applications not only over-develop the site but by introducing flatted developments, completely undermine the notion of the Garden Suburb and so severely erode the ASRC as to cause considerable and irreversible harm for current and future occupiers of the site and area.

Finally Mr Chairman, if Members are minded to approve the recommendations in the reports, I'd like to propose some additional recommendations as follows:-

5. There would be a conflict with Policies 3.4 and 3.5 of the London Plan whereby local character and context should be taken into account and whereby great importance is given to protecting back gardens.
6. The Committee do not concur with the findings of the report that the provision of a higher density residential development may be acceptable in principle, particularly given the previous inspector's report on the application at this site, as it erodes the ASRC standards and goes against the Garden Suburb principle which established Petts Wood's character.
7. The Committee do not concur with the findings of the report that the Council will consider a higher density residential infill development as this goes against the standards and character of the ASRC Garden Suburb, which established Petts Wood's as being of low density and high in amenity space, made up of detached and semi-detached properties with generous gardens.
8. The Committee accept that each application is taken on its own merit and dismiss any proposals that present principles or precedents for future planning applications at this site, thereby attempting to constrain any future decision making body."

DESCRIPTION - PETTS WOOD AREA OF SPECIAL RESIDENTIAL CHARACTER

The original plans for Petts Wood date from the late 1920s and early 1930s. While houses were built over a number of years, in a number of similar though varied styles, the road layout and plot sizes were established in an overall pattern. Today the layout remains largely intact. Within the overall area, the Conservation Areas of the Chenies and Chislehurst Road already stand out.

The plots were originally designed on the garden suburb principle by developer Basil Scruby, with large plot sizes spaciouly placed. The characteristics of the Petts Wood ASRC include an open feel, predicated by low boundaries and visible front gardens, set back from the road; there is also spaciousness between the houses which is of superior standard. This allows many of the trees and greenery which prevails throughout the area to be seen from the street scene giving the area its open and semi-rural feel in line with the garden suburb principle. This open and suburban aspect of the area underlines the special characteristic of the area. Development which erodes this principle will be resisted.

The separation between building and the rhythm and pattern of the houses adds to the special character. In many cases there is a much wider separation between houses than in other parts of the Borough which demands a higher degree of separation between buildings to maintain the special character, the openness and feel of the area. Where there are pairs of houses that complement the rhythm of the street scene there is also a prevailing symmetry between the houses. This symmetry can also be seen between neighbouring pairs. The plots are set out in such a way that the spacious character is one of a clear detached and semi-detached nature.

The front building and rear building lines are also of importance in defining the area. The buildings are of a 1930s design which adds to the character of the area. Whilst there have been some changes post war this design aspect of the area remains intact and future development should respect this characteristic. The front roof lines are also of a nature which enhances the characteristic of the area being largely untouched by roof extensions and conversions at the front.

The plot sizes and rear gardens are mostly of a size which is commensurate with the Garden Suburb principle and this characteristic also forms part of the amenity value which makes the area special.

When considering future development within the Petts Wood ASRC, the main focus will be on the impact of any proposed development on the ASRC, taking into account the design and spatial standards including the low density of existing development. Proposals which undermine the character, rhythm, symmetry and spatial standards of the area will be resisted unless very special circumstances can be demonstrated. Likewise new dwellings proposed on gardens and infill will also be strongly resisted unless very special circumstances can be demonstrated. In this context special is used in the dictionary sense to mean distinguished from others of the same category, because it is in some way superior or held in particular esteem. For a proposal to meet the very special circumstances test in this context would mean not only enhancement to the ASRC but a consequence of not undertaking the proposal would undermine the Petts Wood ASRC or risk some form of harm to the ASRC.

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APPENDIX I

AREAS OF SPECIAL RESIDENTIAL CHARACTER

General guidelines

- I.1 In considering areas for designation as Areas of Special Residential Character, the Council will have regard to the following criteria:
- (i) there should be a sufficient number of properties to form an area of distinctive character. The area should be well established, readily identifiable and coherent;
 - (ii) the majority of properties should generally have the same readily identifiable characteristics (e.g. high spatial standards, similar materials, well-landscaped frontages);
 - (iii) the boundary should be easily defined and defensible; and
 - (iv) the areas defined should be primarily residential in character.
- I.2 When considering applications for new development in Areas of Special Residential Character (ASRCs), the Council, as well as applying the general housing policies in Chapter 4 of the UDP, will pay particular regard to Policy H10 and the following development control guidelines for such areas:
- (i) developments likely to erode the individual quality and character of the ASRCs will be resisted. Reference will be made to the description of areas given below for a determination of individual quality and character.
 - (ii) residential density shall accord with that existing in the area.
 - (iii) spatial standards of new development (plot width, garden depth and plot ratio) shall accord with the general pattern in the area.
 - (iv) the general height of existing buildings in the area shall not be exceeded.
 - (v) the space between a proposed two or more storey development and the side boundary of the site should accord with that prevailing in the area.
 - (vi) backland development will not be permitted.
 - (vii) new development will be required to take account of existing front and rear building lines.
 - (viii) existing mature trees and landscaping shall be retained wherever possible.
 - (ix) conversions, where appropriate, will only be acceptable where they do not alter the external appearance of the building.
 - (x) proposals, including conversions that are likely to significantly increase the proportion of hard surfacing in front of existing properties, will be resisted unless accompanied by satisfactory landscaping proposals.
 - (xi) materials shall match or complement those in adjoining existing developments.
 - (xii) areas of land indicated as Urban Open Space on the Proposals Map will not be developed for any purpose.

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DRAFT LOCAL PLAN 10.6

3. Petts Wood - The area includes circa 1500 dwellings within detached and semi-detached properties on circa 112 ha of land. It is bounded by the railway to the north, Chislehurst Road Conservation Area to the north east, tree preservation orders and the railway to the north west and the west (excluding Urban Open Space, properties within Petts Wood Station Square Conservation Area and other areas which include retail and car parking uses), part of St John's Road to the south west, the Chenies Conservation Area and residential areas considered to be of distinct character and/or standard to the south and west of Crofton Lane and east of Grosvenor Road.

The original plans for Petts Wood date from the late 1920s and the early 1930s. Whilst there have been some changes post war, the prevailing design of the buildings is from the 1930s and remains largely intact. Some of the properties have been built by the distinguished designer Noel Rees who designed all of the buildings within the neighbouring Chenies Conservation Area. Whilst houses were built over a number of years, in a number of similar though varied styles, the road layout and plot sizes were established in an overall pattern, following the garden suburb principle which largely remains intact today. The large plots which are spaciouly placed were originally designed following the garden suburb principle by developer Basil Scruby. The regularity of front building and rear building lines, the consistency in the front roof lines largely untouched by roof extensions or conversions and the symmetry between pairs and neighbouring pairs of houses are of importance in defining the character of the area. The Petts Wood ASRC has an open, suburban and semi-rural feel, predicated by low boundaries and visible front gardens set back from the road as well as the width of the separation between the houses which is of a particularly high standard. This allows many of the trees and greenery which prevail throughout the area to be seen from the street. Large rear gardens also provide the area with a high level of enmity. The plot sizes, the alignment of the houses to the Garden Suburb principle underline the character, rhythm, symmetry and spatial standards of the ASRC.

The separation between building and the rhythm and pattern of the houses adds to the special character. In many cases there is a much wider separation between houses than in other parts of the Borough which demands a higher degree of separation between buildings to maintain the special character, the openness and feel of the area. Where there are pairs of houses that complement the rhythm of the street scene there is also a prevailing symmetry between the houses. This symmetry can also be seen between neighbouring pairs.

POLICY H7 OF THE ADOPTED UNITARY DEVELOPMENT PLAN - HOUSING

'4.40 Backland development, involving development of land surrounded by existing properties, often using back gardens and creating a new access, will generally also be resisted. Private gardens can be of great importance in providing habitats for wildlife, particularly in urban areas. Except in Areas of Special Residential Character, such development, however, may be acceptable provided it is small-scale and sensitive to the surrounding residential area. Lower residential densities than those outlined in Table 4.2 will usually be required and there should be adequate access. Additional traffic should not cause an unacceptable level of disturbance to neighbouring properties and a high standard of separation and landscaping should be provided.'



Appeal Decision

Site visit made on 20 January 2016

by **P Jarvis Bsc (Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 11 February 2016

Appeal Ref: APP/G5180/W/15/3133381

6 Ladywood Avenue, Petts Wood, Orpington, Kent BR5 1QJ

- 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 Heniam Ltd against the decision of the Council of the London Borough of Bromley.
 - The application Ref DC/15/01312/FULL1 dated 27 March 2015 was refused by notice dated 5 August 2015.
 - The development proposed is demolition of 6 Ladywood Avenue (former Friends Meeting House) and construction of 2 no. two storey detached five-bedroom dwellings with new vehicular access from Ladywood Avenue and associated parking.
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Decision

1. The appeal is dismissed.

Main issue

2. The main issue is the effect on the character and appearance of the locality including the Area of Special Character (ASC).

Reasons

3. The appeal site is located on the corner of Ladywood Avenue and Greencourt Road. It is a larger than average plot within the immediate area, with the existing Friends Meeting House sited towards the southern boundary with open garden areas to the front, side and rear. The existing building is two-storey; of similar appearance and proportions to the adjoining residential dwellings, albeit has a large single-storey rear addition and thus has a greater footprint than the majority. The dwellings within the locality consist of a mixture of detached and semi-detached properties of mainly inter-war age, predominantly with white rendered elevations, bay windows and timber framing under hipped or pitched tiled roofs.
 4. The site lies in the Petts Wood ASC in respect of which Policy H10 of the London Borough of Bromley Unitary Development Plan (2006) (UDP) states that development will be required to respect and complement the established and individual qualities of the individual areas as identified in Appendix 1. The appendix sets out further guidelines including that development should accord with the general density, spatial standards, pattern and height of existing development. The description of the area notes that the dwellings were built over a number of years of similar though varied styles but with a road layout and plot size established in an overall pattern.
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5. More recently the Council has supplemented the above description with an updated statement which refers to the original garden suburb design with large plot sizes spaciouly placed and characteristics including an open feel, low boundaries, visible front gardens and greenery giving the area an open feel.
6. I consider that many of these attributes are found within the locality of the appeal site. Ladywood Avenue is a pleasant tree lined road with grass verges enhanced by further mature planting within front gardens. The mature trees, some of which are the subject of tree preservation orders, and other vegetation on the appeal site, contribute greatly to this character with the open corner and side garden giving a more generous feeling of spaciousness to this corner location.
7. The proposed dwellings would front onto Ladywood Avenue, set back a similar distance as others along the western side of the road, one occupying a similar position to the existing building and the other located in the northern half of the site towards the Greencourt Road frontage.
8. However, they would have much greater footprints than the majority of the surrounding dwellings with deep, square forms and central flat 'crown' roof, extending to a greater depth on the site. Although when viewed 'face on' in the Ladywood Avenue streetsence, the dwellings would appear to be of similar bulk and height to those adjoining, when viewed from further to the south and from the north along Ladywood Avenue and west along Greencourt Road, the uncharacteristic bulk and crown roof form of the dwellings would be discernible.
9. In particular, the view of the dwelling on plot 2, to the north of the site, from both Ladywood Avenue and Greencourt Road, would present long side and rear elevations with large bulky side dormer addition, the overall proportions and scale of which would not be sympathetic to the generally more modestly scaled built form of the existing dwellings. In addition, there would be extensive areas of hardstanding within the Ladywood Avenue streetscene.
10. Whilst an area of landscaping at the northern corner of the site and boundary hedging would be provided, this together with the preserved trees would in my opinion be insufficient to mitigate the harmful impact that the excessive amount of built form proposed would have, nor would it reflect the green and spacious quality of the area.
11. Overall, I therefore find that the proposal would have a harmful effect on the character and appearance of the locality and Petts Wood ASC. It would thus conflict with UDP Policies BE1, H7 and H10 which seek to ensure that development proposals are of a high standard of design and layout that recognise and complement the scale, form and layout of adjacent buildings and areas, and as noted above, respect the individual qualities of the ASC.
12. There would also be conflict with Policies 3.4 and 3.5 of the London Plan, which although seeking to optimise housing output, state that local character and context should be taken into account and seek to protect and enhance London's residential environment and attractiveness.
13. For the reasons set out above, the proposal would also fail to comply with the National Planning Policy Framework which, in recognising that good design is a key aspect of sustainable development and seeking to optimise the potential of a site to accommodate development, also aims to respond to local character and reflect the identity of local surroundings.

14. I acknowledge that the dwellings are, in themselves, well-designed properties that reflect some of the detailing and characteristics of the surrounding properties. However, it is the overall scale and bulk of the proposed dwellings that I consider would be out of keeping with the built form of those within the locality of the site and which provide its local context. This overall level of harm would not in my view be outweighed by any benefits arising from the provision of the housing.
15. I have noted the appeal decisions referred to by the parties, particularly in respect of a site in Willett Way at the far western end of Greencourt Road. However, in the latest decision in 2015, which allowed a scheme for the replacement of the existing dwelling with two dwellings, the Inspector noted that there were dwellings of considerable bulk within the immediate area, some on very constrained plots.
16. Whilst some dwellings within the more immediate locality of the appeal site have been extended, I would not describe them as being of considerable bulk nor have they altered the predominant character, which remains of more modest built forms, to the extent that the proposal could be said to be in keeping. Furthermore, having viewed the Willett Way site and its surroundings, I consider that whilst it is in the ASC, its immediate environs are rather different to the appeal site before me. In addition, it has different characteristics and in particular it is not a corner site.

Conclusion

17. I therefore conclude that this appeal should be dismissed.

P Jarvis

INSPECTOR

Appeal Decision

Site visit made on 3 May 2016

by Beverley Wilders BA (Hons) PgDurt MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 6 June 2016

Appeal Ref: APP/G5180/W/15/3141139

2 Woodland Way, Petts Wood, Orpington BR5 1ND

- 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 Mr J Sobowale against the decision of the Council of the London Borough of Bromley.
 - The application Ref DC/15/03933/FULL1, dated 9 September 2015, was refused by notice dated 23 November 2015.
 - The development proposed is described as a new detached 3 bedroom development.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

3. The appeal site comprises part of the side and rear garden of an existing detached dwelling. It is of an irregular shape with the widest part of the appeal site being at the front nearest to Woodland Way, it then narrows significantly at the rear. The front boundary of the appeal site adjacent to Woodland Way is marked by a low brick wall with a solid timber fence above with the side boundary away from the existing dwelling marked by a timber fence and landscaping both within the appeal site and within neighbouring gardens. The appeal site is mainly laid to lawn and it allows views through the site to mature landscaping to the rear. It makes a positive contribution to the character and appearance of the area. The appeal site is located within the Petts Wood Area of Special Residential Character (ASRC) and the immediate surrounding area mainly comprises detached and semi-detached dwellings in generous sized plots with reasonable spacing between dwellings.
 4. The proposed detached two storey dwelling is located reasonably close to the existing dwelling. The gap between the side elevations of the existing and proposed dwellings is uncharacteristically small for the immediate surrounding area. The footprint of the proposed dwelling is located close to the side boundaries of the appeal site and the plot size is relatively small. The restricted size and irregular shape of the appeal site means that the proposed dwelling appears cramped and this cramped appearance in relation to the
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existing dwelling is emphasised by the much larger gap to the other side of the appeal site adjacent to 2A Woodland Way. These factors combined with the loss of openness that would result from the proposal means that there would be a consequent adverse impact on the character and appearance of the area.

5. My attention has been drawn to the size of the gaps between other properties on Woodland Way, Manor Crescent and Towncourt Crescent which are said to be less than the gap proposed. However, though I have had regard to the examples given and whilst I note that in some cases the size of the gap between dwellings is similar or less than that proposed, the majority of the properties are on different roads to the appeal site and the proposal would not therefore be viewed in the same context as these properties. By contrast at my visit I noted that the semi detached properties on the opposite side of Woodland Way to the appeal site have consistently wide gaps between properties at first floor level and in my view these properties provide a more appropriate comparison to the proposal.
6. Reference has also been made to a number of appeal decisions including one which was allowed at 63 Willet Way (Ref DC/14/02860/FULL1). This appeal concerned the demolition of a dwelling in the ASRC and its replacement with two detached dwellings. The Inspector dealing with the appeal concluded that the proposal at Willet Way would not be harmful to the character and appearance of the area and that whilst the gaps to the side of the dwelling contributed to the spacious nature of the immediate area that they were not typical and a reduction in the gaps would not inevitably be harmful. I have been provided with a site plan of the proposal at Willet Way. Whilst I note the Inspector's findings in this case, I am not aware of the details or particular circumstances relating to this case and I note that the Inspector described the area around the Willet Way proposal as rather varied. It seems to me from the available information that the two proposals are not directly comparable and that the surrounding context is different.
7. The other appeal decision relates to 2 Queensway (Ref DC/13/01014/FULL1). I have not been provided with any details of the proposal at Queensway but my attention has been drawn to the Inspector's conclusion regarding the proposed gardens. The appellant states that in this case the dwellings were larger and the size of gardens similar to that proposed by the appeal proposal. However in the absence of any details regarding the scheme at Queensway I am unable to compare the proposals. In any event, in this case the Council's concerns in relation to the proposed garden centre mainly on how the garden area of the proposed dwelling would affect the character and appearance of the area and not the living conditions of future residents. Therefore whilst I have had regard to the appeal decisions provided, I must determine the proposal before me on its own merits.
8. Taking the above matters into consideration, I conclude that the proposal would have a significant adverse effect on the character and appearance of the area. It would therefore be contrary to policies BE1, H7 and H10 of the London Borough of Bromley Unitary Development Plan and to relevant paragraphs of the National Planning Policy Framework. These policies seek, amongst other things, development that is of a high standard of design and layout and which does not detract from the existing streetscene.

Other Matters

9. I note that pre application advice was given by the Council and that the proposal sought to address the issues raised at that stage. I also note the appellant's view that the proposal complies with the relevant policy and guidance regarding spacing. However, for the reasons stated, the proposal is considered to be harmful to the character and appearance of the area.

Conclusion

10. For the above reasons and having regard to all matters raised, I conclude that the appeal should be dismissed.

Beverley Wilders

INSPECTOR