
Appeal Decision

Site visit made on 28 June 2016

by Andrew Steen BA (Hons) DipTP MRTPI

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

Decision date: 28 July 2016

Appeal Ref: APP/G5180/W/16/3145973

2 The Avenue, Bickley, Bromley, Kent BR1 2BT

- 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 Adam Jude Grant Esq against the decision of the Council of the London Borough of Bromley.
 - The application Ref DC/15/04351/FULL1, dated 6 October 2015, was refused by notice dated 23 December 2015.
 - The development proposed is erection of one 2 bed dwelling.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. Although the above address refers to 2 The Avenue, the proposed dwelling would be located to the rear of that property, on land fronting Beaconsfield Road.
3. The appeal was submitted with a number of drawings showing the proposed dwelling being constructed in brick. However, the Council's decision was based on drawings showing the building clad in render and it was these drawings that formed the basis of consultation by the Council during the course of the planning application. It is unclear whether the drawings relating to a brick building have been subject to any consultation and, consequently, I have based my decision on drawing numbers 294/101A, 294/102B and 294/103A that propose a rendered building.

Main Issues

4. The main issues in this appeal are:
 - the effect of the proposed dwelling on the character and appearance of the surrounding area; and
 - the effect of the proposed dwelling on the living conditions of neighbouring occupiers at 3a Beaconsfield Road with particular regard to outlook and light.
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Reasons

Character and appearance

5. Beaconsfield Road is a residential street of detached and semi-detached houses a number of which are Victorian, with more recent infill development along the road. Most dwellings in the area are two storey and constructed in brick and render to a traditional style and appearance.
6. The site has a narrow frontage to Beaconsfield Road on the outside of a bend in the road, widening toward the rear. The layout of the road means that the site is visible in views from Clarence Road, the side of the neighbouring house at no. 3a facing that direction along the road. At present, the site comprises an area of concrete with a single garage, although I understand it previously contained 3 garages, with access from Beaconsfield Road. The front of the site slopes upwards toward Beaconsfield Road, which continues to gently slope up toward Clarence Road. The site originally formed part of the rear garden of 2 The Avenue, but has now been divided from that property by a fence.
7. The proposed dwelling would be prominent in views from Clarence Road, blocking the present gap between 3 and 3a Beaconsfield Road, although partially obscured by trees. Although the white painted render would suit the modern design of the proposed property, it would be unrelieved by fenestration or other features such that it would stand out from the treed background and would be prominent when viewed from this direction. This prominence would be exacerbated by the height of the roof above the proposed building.
8. The design of the roof seeks to reflect those of surrounding properties, with materials to match. However, both the proposed materials and layout of the pitched roof appear at odds with the modern design of the proposed building, such that it would appear awkward and incongruous on the proposed house.
9. The front elevation of the proposal would be tall and narrow with pitched roof above that reflects the width of the site, which gives it a vertical appearance. However, this elevation would be broken up by a change in materials and the front window above the proposed parking space. This would alleviate the verticality to some extent and, with the exception of the design and materials of the roof, would provide an attractive main elevation to the road.
10. The proposed dwelling would be behind the front elevation of the neighbouring no. 3a, but in front of no. 3, such that it provides a step in the line of development, reflecting the layout of the road. The height of the proposed dwelling would also step up from no. 3a to no. 3 which reflects the topography in this location.
11. For these reasons, I conclude that the prominence of the side elevation and design of the roof of the proposed dwelling would harm the character and appearance of the surrounding area. As such, the development is contrary to Policies BE1 and H7 of the London Borough of Bromley Unitary Development Plan (UDP), Chapter 7 of the London Plan and the National Planning Policy Framework that seek to ensure development is of a high standard of design and layout that complements the qualities of the surrounding areas.

Living conditions

12. The proposed dwelling would be in close proximity to the boundary with the rear garden of no. 3a and would extend alongside that rear garden and beyond. However, the garage to no. 3a and planting to the rear of that garden would separate the proposed dwelling from the garden to that property. The separation by the garage combined with the gap to the proposed building would ensure that, whilst visible over the roof of the garage, it would not be overbearing on that neighbouring dwelling.
13. Although close to the boundary, there would be sufficient gap between the proposed dwelling and the garden of no. 3a, including the garage, to ensure that any overshadowing of the rear garden of that property would not be significant. Consequently, the proposed development would not materially affect the amount of sunlight and daylight to that rear garden.
14. For these reasons, the proposed development would not have an adverse effect on the outlook of occupiers of 3a Beaconsfield Road, nor the light to the rear garden of that property. As such, the proposed development would comply with Policies BE1 and H7 of the UDP that seek to ensure development respects the living conditions of neighbouring occupiers.

Other matters

15. I note that the appellant has sought to address the reasons for refusal attached to previous applications and appeals. I have taken into account those revisions as far as I am able.

Conclusion

16. While I have found that the proposal would not result in harm to the living conditions of neighbouring occupiers, that is not sufficient to outweigh the harmful effect the works would have on the character and appearance of the surrounding area. As such, I conclude that the appeal should be dismissed.

Andrew Steen

INSPECTOR