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# Appeal Decision

Site visit made on 3 March 2015

**by Christa Masters MA (Hons) MRTPI**

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

**Decision date: 25/03/2015**

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**Appeal Ref: APP/G5180/W/14/3000441**  
**Oakdene, Oaklands Road, Bromley BR1 3SL**

- 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 Brian Gaffney against the decision of the Council of the London Borough of Bromley.
  - The application Ref DC/14/01844/FULL1, dated 29 April 2014, was refused by notice dated 14 October 2014.
  - The development proposed is demolition of existing house and erection of a 4 storey (top floor within roof) block of flats [4 no 2 bed and 2 no 2 bed duplex flats] and associated parking.
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## Decision

1. The appeal is dismissed.

## Procedural matters

2. Since the appeal has been submitted, the Inspectors Report regarding the Further Alterations to the London Plan has been produced. These Further Alterations were adopted on 10 March 2015. I have had regard to this matter in reaching my decision below.

## Main Issue

3. The effect of the proposal on the character and appearance of the area.

## Reasons

4. The appeal site is a detached single residential dwelling. The buildings either side of appeal site are Victorian Villas which have been converted to flats. The wider area comprises a number of blocks of flats which increase up to 3 storeys in height. A number of these blocks have landscaped frontages set in spacious plots with vehicular access with dedicated parking to the rear.
5. In terms of the building height proposed, I accept that this would be similar in scale and height to the neighbouring properties at No 22 and 20 Oaklands Road. However, from what I saw on the site visit and from the evidence presented, it is clear that the appeal site presents the narrowest plot on this stretch of 6 buildings between Oaklands Road and Spencer Road. This narrow plot width of 13m means that the scale of the building proposed would extend almost the full width of the plot, leaving only minimal separation distances between the new building and the site boundaries.

6. Policy H9 (ii) of the Bromley Unitary Development Plan (UDP) 2006 states that where higher standards of separation exist within residential areas, proposals will be expected to provide a more generous side space. Indeed, the supporting text at paragraph 4.48 goes on to state that it is important to prevent a cramped appearance, as well as protect the high spatial standards and levels of visual amenity which characterise many of the Boroughs residential areas.
7. The proposal before me would clearly conflict with this policy objective. It would lead to a cramped form of development, which would be totally out of keeping with the general character and appearance of the street scene which is of buildings set within relatively spacious plots.
8. The proposal also includes for dedicated parking bays to the front of the property. This element of the proposal would introduce an extensive area of hard standing to accommodate the parking. The prominent location and the number of formal parking bays proposed would also be at odds with the general character and appearance of the frontage to the residential properties along Oaklands Drive. I share the concerns raised by the Ravensbourne Valley Preservation Society that this arrangement would have a materially harmful effect on the overall street scene.
9. In light of the above, I therefore conclude the proposal would present a cramped form of development, which would have an adverse effect on the character and appearance of the area. As such, the proposal would be contrary to policies H7 and H9 outlined above of the UDP. Policy H7 is a seven part criteria based policy. The proposal before me would fail to comply with part (iii) of this policy in that it would fail to be of a high quality in terms of the site layout, building and spaces which would fail to complement the qualities of the surrounding area. In addition, part (vi) requires that the layout be designed to give priority to pedestrians and cyclists over the movement and parking of vehicles. The proposal in its current form fails to achieve these objectives.
10. In reaching the above views, I have also had regard to the advice contained within the National Planning Policy Framework (The Framework) and in particular, paragraph 17 which seeks to ensure that all developments secure high quality design.

### ***Other Matters***

11. The Inspector in his report into the Examination in Public on the Further Alterations to the London Plan has concluded that the existing London Plan Strategy will not deliver sufficient homes to meet objectively assessed need. The appellant has indicated that in light of this, policies for the supply of housing in the Bromley UPD are not up-to-date. Although the policies on which the appeal has been determined are contained within the Housing Chapter of the UDP, they are not in my judgement policies making provision for housing. They relate to matters of design, appearance and safeguarding the urban environment. On this basis, there is therefore no case to be made that the policies are not up-to-date. This being the case, there is no basis for engaging paragraph 14 (or the 4<sup>th</sup> bullet point thereof) of the Framework.
12. A number of third party concerns have been raised regarding the potential for the development to cause additional localised traffic congestion, noise and pollution, problems associated with the existing drainage system, loss of light and overlooking as well as loss of trees. However, such concerns are not

supported with detailed evidence to substantiate their case in respect of these matters, nor have I seen any formal responses of the relevant statutory or other consultees. On this basis I am able to afford such concerns only very limited weight in the determination of this case.

### **Conclusion**

13. The site is in a sustainable location and would deliver 6 dwellings to the overall supply of housing within the Borough. I have attached weight to these matters. However, for the reasons given above and having regard to all other matters raised, I conclude the proposal would have a harmful effect on the character and appearance of the area and that the appeal should be dismissed.

*Christa Masters*

Inspector