
Appeal Decision

Site visit made on 19 January 2016

by Beverley Wilders BA (Hons) PgDurp MRTPI

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

Decision date: 7 March 2016

Appeal Ref: APP/G5180/W/15/3135153
61 The Avenue, Beckenham, Kent BR3 5EE

- 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 Steve Mooney (Denhill Properties Ltd) against the decision of the Council of the London Borough of Bromley.
 - The application Ref DC/15/02906/FULL1, dated 2 July 2015, was refused by notice dated 3 September 2015.
 - The development proposed is demolition of existing single dwelling and erection of two new blocks of 4 x 2 bedroom apartments each (8 new dwellings in total).
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The planning application form and the Council's decision notice do not provide the name of the applicant. However the appeal form provides the name of the appellant as Mr Steve Mooney on behalf of Denhill Properties Ltd. I have dealt with the appeal accordingly.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the Conservation Area.

Reasons

4. The appeal site is located within and on the edge of the Downs Hill Conservation Area (CA). The CA consists of detached properties, unified by their common age of construction and their reference to neo-Tudor and neo-vernacular elements: historic materials and methods transformed to meet the requirements of the day. Design and the use of materials vary somewhat throughout the area. However several unifying factors can still be identified. Some houses are of one and a half storeys; a two-storey house with loft space gaining light through dormers and roof lights. Other houses are slightly larger two storey, with first floor dormer windows set into the roof to achieve a cottage effect. Widespread use is made of the bay window (a common 1930's design element), applied timber framing and white rendered elevations. On the whole, original external features of the properties have been retained.

5. The appeal site comprises a detached two storey dwelling and surrounding garden located in an elevated and prominent corner position near to the junction of The Avenue and Downs Hill. The existing dwelling is relatively modest in style and appearance. Its position is offset within the site with the side elevation of the existing dwelling located parallel to the side elevation of 67 Downs Hill. No 67 is currently being extended following the granting of planning permission. The front elevation of the existing dwelling, with the exception of the single storey garage projection, is slightly set back from the front elevation of No 67. The appeal site is broadly triangular in shape and has a long curved side/front boundary adjoining The Avenue. Existing landscaping, including a number of mature trees, located along and close to the boundary adjoining The Avenue provides some screening of the site when viewed from The Avenue and Downs Hill. However gaps in the screening allow views across the site towards the side elevation of 59a The Avenue. The relatively large garden and landscaping within it contributes to the spacious and verdant character of this particular part of the CA.
6. The proposal to demolish the existing dwelling and replace it with two large detached buildings would significantly increase the amount of development on the site and consequently reduce the amount of open space. Whilst I note that the style and materials proposed is in keeping with much of the CA, I consider that the substantial footprint and volume of the buildings means that the proposal appears cramped and out of keeping with the surrounding area, including the CA. The gap between the proposed buildings is small and the consequent relationship between them very close when compared to most other buildings in the CA, particularly given the large scale of the buildings proposed. Whilst I note that a new hedge is proposed within the front garden between the proposed buildings, I do not consider that this adequately overcomes the close physical relationship between the two large buildings.
7. I note that the relative ridge height of Block B is similar to that of No 59a and that the increase proposed by Block A would be broadly consistent with the general increase in ridge heights along Downs Hill. However the particular roof design of the proposed dwellings, incorporating a central flat roofed element, results in a much bulkier roof form when compared with other more traditional roof forms within the CA. Whilst I note that much of the existing landscaping would be retained and new landscaping is proposed, I consider that there would nevertheless be views of the buildings from The Avenue and Downs Hill through gaps in the landscaping, including at the vehicular access points.
8. Whilst I have no objection to the demolition of the existing dwelling which is of no particular architectural merit, having regard to the above, I consider that the proposal would fail to preserve the character and appearance of the CA. I consider that the harm to the significance of the CA would be less than substantial. As such having regard to paragraph 134 of the National Planning Policy Framework (the Framework), this harm needs to be weighed against the public benefits of the proposal.
9. I note that the proposal would result in the provision of seven additional dwellings, of a type stated to be in demand, located in a relatively accessible location and would bring a derelict site back into use. However whilst I have had regard to the public benefits of the proposal, I do not consider that they are sufficient to outweigh the harm identified.

10. I note that the proposal follows the dismissal of a previous appeal (Application Ref DC/14/03502/FULL1) where concerns regarding the impact of the proposal on the CA were expressed by the Inspector. The appeal proposal incorporates a number of amendments that were made in an attempt to address the Inspector's concerns. Whilst I have noted and had regard to these amendments, for the reasons outlined above, I do not consider that they have overcome previous concerns regarding the proposal.
11. Similarly I have had regard to the submitted Heritage Statement but do not agree that the offset position of the existing dwelling is harmful to the CA or that the proposal remains sensitive to the corner plot and the wider CA. Reference has been made to a number of other decisions regarding housing developments in the area and to existing development on the opposite side of The Avenue. However I am not aware of the details or particular circumstances of these cases and in any event I must determine the proposal before me on its own merits. I note that properties on the opposite side of The Avenue are not within the CA and whilst they provide a context for the site, they do not justify the proposal or outweigh the harm identified. I also note that pre application discussions took place with the Council and understand that at the planning application stage no objections were raised by the Council's Advisory Panel for Conservation. However whilst noted, neither of these matters have affected my decision.
12. I conclude that the proposal fails to preserve the character and appearance of the CA and is contrary to policies BE1, BE11 and H7 of the London Borough of Bromley Unitary Development Plan and Policy 3.5 of the London Plan. These policies seek, amongst other things, to ensure that housing developments are of the highest quality and are of a high standard of design that respects and complements existing buildings and areas and preserves or enhances the character or appearance of Conservation Areas.

Conclusion

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

Beverley Wilders

INSPECTOR