



Planning Department
Housing, Planning and Regeneration
Bromley Civic Centre, Churchill Court
2 Westmoreland Road, Bromley, BR1 1AS
Telephone: 0208 313 4956
Email: planning@bromley.gov.uk
Internet: www.bromley.gov.uk

DELEGATED DECISION

Officer

Neilide Griffin

Application Details

Reference: 26/01657/HPA

Site Address:

111 HAYES WAY, BECKENHAM, BR3 6RR

Description of Development:

Retention of new brick front wall with railings and composite fencing to side boundary.

Officer Report

The application proposes the retention of a new brick front wall with railings and composite fencing to side boundary.

Location and Key Constraints

The application site comprises of a two-storey detached dwelling located on the eastern edge of Hayes Way, on a prominent corner plot at the intersection with Brabourne Rise. The property is not listed, however, it does lie within the Park Langley Area of Special Residential Character.

Comments from Local Residents and Groups

Nearby owners/occupiers were notified of the application and representations were received. To summarise, members of the public objected to the proposal for the following reasons:

- The boundary treatment has a "fortress-like" appearance and is considered stark, overbearing and harmful to the open character of the area
- The proposal is uncharacteristic of the surrounding area and the ASRC
- Concerns were raised regarding the design quality and choice of materials.
- The fence is considered excessively high
- The lighting mounted on the fence is viewed as garish and inappropriate, with some neighbouring occupiers reporting light spill and disturbance
- Approval of the development could set an undesirable precedent for similar boundary treatments elsewhere
- It was noted that similar fences have not been permitted at other properties in the area
- Some residents requested that the fence be removed

- Concerns were expressed that visibility for drivers has been reduced
- Objections were raised regarding the removal of the existing hedgerow and trees
- It was noted that the property is not owner-occupied

Conversely, support for the proposal was expressed on the following grounds:

- The previous hedgerow was poorly maintained and attracted litter
- The former boundary treatment enabled unauthorised access to the site, giving rise to security concerns
- The design of the new fence was considered attractive, contemporary and well executed
- The lighting was viewed as a positive addition, improving safety along the adjoining path
- The fence and lighting were considered to improve accessibility and user experience along the path
- It was noted that fences of up to 2 metres in height are generally permitted development
- The development provides increased privacy and security for the occupiers of a dwelling that is particularly exposed due to its corner plot location
- The previous hedgerow was considered by some to present a fire risk
- Similar styles of boundary treatment were said to exist elsewhere within the Park Langley area

Comments from Consultees

Trees: No objection, subject to conditions

Highways: No objection

Policy Context

Section 70(2) of the Town and Country Planning Act 1990 (as amended) sets out that in considering and determining applications for planning permission the local planning authority must have regard to:

- (a) the provisions of the development plan, so far as material to the application,
- (b) any local finance considerations, so far as material to the application, and
- (c) any other material considerations.

Section 38 (6) of the Planning and Compulsory Purchase Act (2004) makes it clear that any determination under the planning acts must be made in accordance with the development plan unless material considerations strongly indicate otherwise.

The National Planning Policy Framework was updated in 2024 and is a material consideration.

The development plan for Bromley comprises the Bromley Local Plan (Jan 2019) and the London Plan (March 2021). The NPPF does not change the legal status of the development plan.

The application falls to be determined in accordance with the following policies:

London Plan Policies

D1 London's form, character and capacity for growth
 D3 Optimising site capacity through the design-led approach
 D4 Delivering good design

Bromley Local Plan

6 Residential Extensions
 37 General Design of Development
 44 Areas of Special Residential Character

Supplementary Planning Guidance

Urban Design Supplementary Planning Document (July 2023)

Planning History

00/00755/FULL1 - Erection of new chimney stack – Permitted

25/05217 - Construction of part one/two storey side extension and front porch, roof alterations comprising two dormers to front and extended dormer to rear, rooflights to front and back and relocation of existing solar panels, elevational alterations including glazed façade to side and replacement of cladding. Refused

Considerations

The main issues to be considered in respect of this application are:

- o Design
- o Neighbouring amenity
- o Highways
- o Biodiversity Net Gain

Design

Design is a key consideration in the planning process. Good design is an important aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. London Plan and Bromley Local Plan (BLP) policies further reinforce the principles of the NPPF setting out a clear rationale for high quality design.

Policies 6 and 37 of the Bromley Local Plan (BLP) and the Council's Supplementary design guidance seek to ensure that new development, including residential extensions are of a high-quality design that respect the scale and form of the host dwelling and are compatible with surrounding development. the scale and form of the host dwelling and are compatible with surrounding development.

Park Langley is an Area of Special Residential Character. The original Edwardian core of the Park Langley "garden suburb" is a Conservation Area. The remainder, built sporadically between the 1920's and 1950's, whilst not of the same exceptional standard, has the character of a garden estate given by the quality and appearance of the hedges, walls, fences, and front gardens. The area, which comprises almost exclusively large detached two storey family houses on generous plots, is bounded by Wickham Way to the west, by Barnfield Wood Road to the south, and by Hayes Lane to the north and east. It represents a coherent, continuous and easily identifiable area, which has maintained its character and unity intact.

The case officer has assessed the proposal against the aforementioned policies in terms of its design, with particular regard to the impact on the character and appearance of the host building and wider area. The application seeks retrospective planning permission for the erection of a new boundary treatment comprising a brick wall with railings to the front of the site and composite fencing to the flank boundary.

The fencing measures approximately 1.95m in height and replaces a former boundary arrangement consisting of a low brick wall and substantial hedgerow planting. The development extends around the majority of the site's perimeter, with the exception of a brick wall and gated access at the primary entrance.

The brick wall, piers and railings may be considered acceptable in design terms. Similar forms of boundary treatment are evident elsewhere along Hayes Way and within the wider Park Langley area, where front

boundaries frequently comprise a combination of low brick walls and railings. Furthermore, the brickwork matches that of the host dwelling which is considered acceptable. This section of the boundary treatment is not considered to adversely affect the character or appearance of the streetscene.

In contrast, the composite fencing is considered to be wholly inappropriate in this location. The site lies within an Area of Special Residential Character where spacious plots, generous landscaping and relatively open frontages make an important contribution to the established garden suburb character of the area.

The replacement of the previous boundary with almost continuous 1.95m high composite fencing has introduced a prominent and visually dominant form of enclosure. By virtue of its height, extent, solid appearance and modern composite finish, the fencing creates a stark and defensive appearance which is at odds with both the host dwelling and the prevailing character of the surrounding area. The development substantially reduces openness around this corner plot.

The applicant's desire to improve privacy and security is acknowledged, as are concerns raised regarding the maintenance of the former hedgerow. However, these considerations do not outweigh the significant visual harm arising from the development. It is considered that the objectives of improving security and defining the site boundary could have been achieved through a more sympathetic form of enclosure that better reflected the established character of the ASRC.

Accordingly, whilst the brick wall and railings are acceptable, the composite fencing, by reason of its excessive height, solid form, extensive coverage and unsympathetic materials, results in a dominant and incongruous feature that causes material harm to the character and appearance of the host dwelling, the surrounding streetscene and the wider Area of Special Residential Character. In addition, proposed works appear at odds with the Urban Design SPD.

Having regard to its scale, siting and appearance, the proposal does not complement the host property and would appear out of character with surrounding development and the area generally.

Neighbouring Amenity

Policy 37 of the Bromley Local Plan seeks to protect existing residential occupiers from inappropriate development. Issues to consider are the impact of a development proposal upon neighbouring properties by way of overshadowing, loss of light, overbearing impact, overlooking, loss of privacy and general noise and disturbance.

The case officer has assessed the proposal against the above-mentioned policy in terms of the impact on neighbouring residential properties with specific regard to the above-mentioned criteria.

Whilst the development is considered unacceptable in design terms, it is not considered to give rise to unacceptable harm in terms of overbearing impact, loss of light, outlook or undue sense of enclosure.

Representations raised concerns regarding light spill from the lighting incorporated within the fencing. Whilst the Council has not undertaken any detailed technical assessment of the lighting, it is nevertheless considered that the inclusion of illuminated features within the boundary treatment is at odds with the character of the area. As such, any concerns relating to the lighting carry greater weight as a design consideration.

Having regard to the scale and siting of the development, it is not considered that a significant loss of amenity would arise as a result of the boundary treatment's scale and siting.

Biodiversity Net Gain

London Plan Policy G6 states that proposals that create new or improved habitats that result in positive gains for biodiversity should be considered positively. Policy G6 Part D further advises that "Development proposals should manage impacts on biodiversity and aim to secure net biodiversity gain. This should be informed by the best available ecological information and addressed from the start of the development process."

This application is exempt from BNG being a householder application for works to a dwelling.

Highways

The NPPF recognises that transport policies have an important role to play in facilitating sustainable development but also in contributing to wider sustainability and health objectives. The NPPF clearly states that transport issues should be considered from the earliest stage of both plan making and when formulating development proposals and development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

The NPPF states that all developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed.

The Highways Officer reviewed the scheme and raised no objection.

Conclusion

Having had regard to the above it is considered that the development is unacceptable in that it has a detrimental impact on the character of the host property and wider area.

Recommended Decision:

REFUSED

For conditions or grounds of refusal please refer to the Decision Notice.