
Appeal Decision

Site visit made on 6 September 2016

by Helen Hockenhull BA(Hons) B.PI MRTPI

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

Decision date: 21 September 2016

Appeal Ref: APP/G5180/D/16/3156627

1A Austin Avenue, Orpington, Bromley BR2 8AJ

- 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 Dr Bu Hayee against the decision of the Council of the London Borough of Bromley.
 - The application Ref DC/16/01559/FULL6, dated 29 March 2016, was refused by notice dated 26 May 2016.
 - The development proposed is the demolition of the dwelling's existing side and front single storey flat roofed projections with the construction of front and rear single storey extensions thereafter, together with a part two/part single storey extension and the undertaking of all associated internal and external alterations.
-

Decision

1. The appeal is allowed and planning permission is granted for a part one/two storey front/side and rear extension at 1A Austin Avenue, Orpington, Bromley BR2 8AJ in accordance with the terms of the application, Ref DC/16/01559/FULL6, dated 29 March 2016, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing No. 1544/AA0/03 – Proposals Sheet I and Drawing No. 1544/AA0/04 – Proposals Sheet II.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Preliminary Matters

2. The description of development I have used above is taken from the original planning application form. The Appeal Form at Question E states that the description has not been changed but a different wording is provided as follows 'Part one/two storey front/side and rear extension'. I have used this revised description in my decision as I consider it better reflects the development proposed.

Main Issue

3. The main issue in this case is the effect of the development on the character and appearance of the area.
-

Reasons

4. The appeal property forms a two storey detached house with a flat roof link extension and flat roof garage located to the side of the dwelling. The area is residential, characterised by a range of large detached and semi-detached houses of differing designs and styles. Most of the dwellings are constructed in brickwork with render and hipped tiled roofs.
5. The appeal proposes the demolition of the existing side garage and the construction of a part two storey/ part single storey extension to the side and rear as well as a single storey extension to the front of the dwelling. The single storey element of the proposal would be sited a minimum of 0.3 metres from the side boundary with the neighbouring property at No. 1 Austin Avenue. The two storey part of the development would be inset so that it would be approximately one metre from the boundary. The neighbouring property No.1 has a single storey detached garage close to the side boundary with the dwelling itself set further into the plot.
6. Policy H9 of the Bromley Unitary Development Plan (UDP) 2006 requires that for proposals of two or more storeys in height, a minimum 1 metre space from the side boundary of the site should be retained. The supporting text explains that the retention of space around residential dwellings is essential to ensure adequate separation and to safeguard the privacy of adjoining residents. It goes on to say that it is important to prevent a cramped appearance and unrelated terracing from occurring.
7. The above policy places no requirement for a minimum separation distance for single storey extensions. Whilst the single storey part of the extension would be less than a metre from the side boundary, the two storey element would be around one metre away. The presence of the single storey garage to No.1 Austin Avenue provides adequate separation distance between the two neighbouring dwellings to ensure that terracing would not occur.
8. I noted on my site visit that there are a number of existing dwellings in Austin Avenue that are sited within a metre of the side boundary. Thus the appeal proposal would not be out of character with the area. The appeal property is sited in a generous plot with garden space to the front, rear and north eastern side. The retention of these garden areas would ensure that the dwelling does not appear cramped in its plot or appear as an incongruous development in the street scene.
9. I conclude that the appeal proposal would not cause harm to the character and appearance of the area and would comply with the requirements of UDP Policy H9 which aims to protect the high spatial standards and visual amenity of residential areas. Whilst the UDP pre dates the National Planning Policy Framework I find Policy H9 to be generally consistent with it in particular paragraph 17 which seeks to secure high quality design.

Conditions

10. In addition to the standard condition which limits the lifespan of the planning permission I have specified the approved plans for the avoidance of doubt and in the interests of proper planning. A condition relating to materials is also necessary to protect the character and appearance of the host dwelling and the surrounding area.

Conclusion

11. For the reasons given above and having regard to all other matters raised including the lack of objection from neighbouring properties, I allow this appeal.

Helen Hockenhull

INSPECTOR