

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: 22 September 2016

Appeal Ref: APP/G5180/D/16/3154588
59 Mooreland Road, Bromley BR1 3RD

- 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 Andrew Shaw against the decision of the Council of the London Borough of Bromley.
 - The application Ref C/16/01062/FULL6, dated 23 February 2016, was refused by notice dated 26 April 2016.
 - The development proposed is a single storey rear and side infill extension.
-

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this case is the effect of the development on the living conditions of the occupiers of the neighbouring dwelling with particular regard to outlook.

Reasons

3. The appeal property forms a two storey Victorian mid terrace dwelling with an existing single storey rear projection originally built with the house. The appeal proposes the replacement of this rear extension with the construction of a single storey side /rear extension with a total projection of about 6 metres. This would extend across the full width of the property for a distance of around 4 metres and then step in from the side boundary with the neighbouring property at No. 57 by approximately 0.7 metres for the remaining 2 metres. The extension would have a pitched roof with an eaves height just over 2.4 metres.
 4. No. 57 Mooreland Road also has a similar originally built single storey rear projection with a side window serving a kitchen facing the side boundary fence. In addition this property has a glazed door opening on the main rear elevation close to the shared boundary which provides access to the dining area.
 5. The proposed extension would project above the side boundary fence by around 0.4 metres. The height of the proposed extension together with its proximity to the side boundary and its depth would result in a dominant form of development detrimental to the visual amenities of the occupants of the neighbouring dwelling. It would adversely affect the outlook from the side
-

kitchen window of the rear extension and increase the sense of enclosure to this window and the glazed door opening in the rear elevation.

6. In respect of No. 61 Mooreland Road, the extension would project approximately 0.8 metre further than the existing single storey extension. The Council raises no concern with regard the impact on this property. I concur with this assessment.
7. The appellant has brought my attention to an appeal decision for a rear extension at a property on Derwent Avenue, Pinner¹. However this proposal related to a two storey side extension above an existing side garage with a two storey extension behind and not a single storey rear/side extension as in the appeal case before me. Whilst I note that this scheme had no flank wall windows, as in the case before me, in other respects, such as the style of property, an extended bungalow, this proposal would not be directly comparable. I have therefore considered the appeal case on its individual merits.
8. I note that that planning permission has been refused for a previous similar proposal at the appeal dwelling and that the current appeal scheme attempts to address the previous reasons for refusal. I acknowledge that the proposal in many respects meets the requirements of the Council's Residential Design Supplementary Planning Guidance (SPD) in particular it respects the composition of the host building in rhythm of form and detail. In addition the extension, located to the rear of the appeal property, would have no impact on the street scene or the character and appearance of the area. The scheme removes side window openings on the shared boundary so that the privacy of the occupants of the neighbouring property would be maintained and appropriate rear amenity space would be retained to serve the property.
9. However, whilst the above factors provide support to the scheme, they do not outweigh the harm to the living conditions of the occupiers of the neighbouring dwelling through poor outlook. The proposal would therefore not comply with Policies H8 or BE1 of the Bromley Unitary Development Plan 2006 or the Residential Design SPD which aim to achieve a high standard of design and protect the amenity of occupiers of adjoining properties. I consider these policies to be generally consistent with the National Planning Policy Framework (the Framework) in particular paragraph 17 which aims to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.

Conclusion

10. For the reasons given above and having regard to all other matters raised, I dismiss this appeal.

Helen Hockenhull

INSPECTOR

¹ APP/M5450/D/15 3005566