

Appeal Decision

Site visit made on 11 October 2016

by Beverley Wilders BA (Hons) PgDurp MRTPI

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

Decision date: 3 November 2016

Appeal Ref: APP/G5180/D/3155206
66 Tremaine Road, Penge, London SE20 7TZ

- 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 Kadhum Hindi against the decision of the Council of the London Borough of Bromley.
 - The application Ref DC/16/02027/FULL6, dated 26 April 2016, was refused by notice dated 1 July 2016.
 - The development proposed is an extension.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposal on:
 - The character and appearance of the host building and the surrounding area;
 - The living conditions of the existing occupiers of 68 Tremaine Road and future occupiers of 64A Tremaine Road having particular regard to outlook and light.

Reasons

Character and appearance

3. The appeal site comprises a traditional two storey end of terrace dwelling located in an area generally characterised by traditional properties of a similar style and design. The existing dwelling has a pitched roof and existing flat roofed single storey rear extensions.
 4. The proposed part single and part two storey rear extension would have a flat roof. Though its position at the rear of the existing dwelling means that views of it would be limited, and whilst it would replace existing flat roofed extensions, I do not consider that the design and appearance of the extension would be sympathetic to or in keeping with the traditional character and appearance of the existing dwelling. The large scale of the proposed extension and the height of the two storey part of the proposal serve to emphasise the incongruous nature of the flat roofed design proposed. The proposal would appear as a dominant and obtrusive form of development in relation to the existing dwelling.
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5. At my site visit I noted other nearby examples of two storey rear projections and extensions. However whilst the scale and the extent of the rear projection of some of these is not dissimilar to that proposed, all of them appear to have hipped roofs and are therefore more in keeping with the traditional character of the host dwellings.
6. Taking the above matters into consideration, I conclude that whilst the proposal would not adversely affect the character and appearance of the surrounding area, it would adversely affect the character and appearance of the host building. It is therefore contrary to policies BE1 and H8 of the London Borough of Bromley Unitary Development Plan (UDP). These policies seek, amongst other things, to ensure that development proposals are of a high standard of design, are attractive to look at and the scale and form of extensions should respect or complement those of the host dwelling.

Living conditions

7. The existing dwelling adjoins a similar dwelling at 68 Tremaine Road and the appeal site is adjacent to 64A Tremaine Road which is the site of a flat development currently under construction. The rear elevation of the two storey part of the existing dwelling is in line with the two storey part of the rear elevation of No 68 whilst the rear elevation of No 64A extends beyond the rear elevation of the existing dwelling. No 64A contains a number of ground and first floor openings in the side elevation facing towards the appeal site. No 68 has a single storey rear extension which extends beyond the rear elevation of the two storey part of No 66.
8. The proposed part single and part two storey rear extension would replace the existing single storey rear extensions at the appeal site and would extend further backwards to the rear. The existing dwelling would be extended across its full width at ground floor and across part of its width at first floor. The two storey part of the extension would be adjacent to the side boundary with No 64A.
9. The appeal site and No 64A are separated by a pathway enclosed by fencing and this separation together with the relative position of the rear elevation of No 64A and the proposed two storey extension means that the extension would not have a significant adverse effect on the outlook from either the building or garden at No 64A. Windows in the rear elevation of No 64A would be unaffected by the proposal and whilst there are a number of side openings at No 64A facing towards the appeal site, most appear to face onto the side elevation of the existing dwelling and appear to be obscurely glazed. Consequently I do not consider that there would be any significant loss of outlook from these openings.
10. The relative position of the two storey extension and the two storey part of the rear elevation of No 64A also means that there would be no significant or harmful loss of light to the rear elevation and garden of No 64A. Whilst there may be some loss of light and additional overshadowing of the openings in the side elevation of No 64A, this would not be significant given the position and apparent secondary nature of these openings.
11. The proposal would result in a larger ground floor extension with a greater rear projection adjacent to No 68. However I do not consider that the outlook from the ground floor windows of No 68 would be unduly affected given that the

extension would not appear to project significantly beyond the extension at No 68. The position of the two storey part of the extension would be set away from No 68 and having regard to this and to the extent of its rear projection, I am satisfied that it would not have a significant adverse impact on the outlook from the first floor windows in the rear elevation of No 68. Finally given the position and height of the proposed extensions I am satisfied that the proposal would not have any significant adverse effect on the outlook from the garden of No 68.

12. In reaching my decision I have also had regard to the concerns raised by the occupiers of No 68 regarding a loss of privacy to the garden of No 68 and I note that there would be a first floor bedroom window in the rear elevation of the two storey part of the extension. However having regard to the position of this window relative to the garden of No 68 and to the position of the existing first floor window in the rear elevation of No 66 closer to the garden of No 68, I do not consider that the proposal would have a materially harmful impact on privacy levels within the garden of No 68.
13. Taking the above matters into consideration, I conclude that the proposal would not have a significant adverse effect the living conditions of the existing and future occupiers of 68 and 64A Tremaine Road having particular regard to outlook and light. It therefore complies with policies BE1 and H8 of the UDP. These policies seek, amongst other things, to ensure that development respects the amenity of occupiers of neighbouring buildings and those of future occupants.

Conclusion

14. Though the proposal would not have a significant adverse effect on the living conditions of the existing and future occupiers of 68 and 64A Tremaine Road and whilst it would not adversely affect the character and appearance of the surrounding area, it would adversely affect the character and appearance of the host building.
15. For the reasons stated above and having regard to all matters raised, I conclude that the appeal should be dismissed.

Beverley Wilders

INSPECTOR