
Appeal Decision

Site visit made on 28 November 2016

by Caroline Mulloy BSc (Hons) DipTP MRTPI

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

Decision date: 6th December 2016

Appeal Ref: APP/G5180/D/16/3157768

127 Clareville Road, Orpington, Kent BR5 1RU

- 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 Mrs Laura Dawson against the decision of the Council of the London Borough of Bromley.
 - The application Ref DC/16/01494/FULL6, dated 23 March 2016, was refused by notice dated 13 June 2016.
 - The development proposed is two storey side extension.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this case is the effect of the proposal on the character and appearance of the area.

Reasons

3. The appeal property is a two storey end of terrace situated on the south side of Clareville Road. The surrounding area is predominately residential comprising of a mix of dwelling types, garage blocks and open spaces. Some properties front the road whilst a number of terraces, including the appeal property are situated perpendicular to the road. The majority of these terraces have side gardens between the end gable and the highway which creates a sense of spaciousness.
 4. Policy H9 of the Council's Unitary Development Plan (UDP) (2006) requires proposals of two or more storeys in height to have a minimum 1 metre space from the side boundary of the site which should be retained for the full height and length of the flank wall of the building; or where higher standards of separation already exist within residential areas, proposals will be expected to provide a more generous side space. This will be the case on some corner properties. I consider that the appeal property falls within the remit of the latter category due to the size of the existing side garden and the orientation of the property.
 5. The proposed extension would reflect the existing property in terms of the design and materials. However, the extension would sit significantly further forward than numbers 129-135 (nos 129-135) and would interrupt the existing graduated building line created by the garage block, appeal property and nos 129-135 Clareville Road. Whilst nos 129-135 Clareville Road are set further back from the road, the side garden of the appeal property allows views of the front elevations of nos 129-135 and views from east to west along the street. These views contribute
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to the visual connectivity and architectural legibility of the street scene. The proposal would abruptly terminate views these views to the detriment of the street scene.

6. The existing side garden creates separation between the property and the road and helps to soften the appearance of the gable elevation. The proposal would result in a solid blank brick elevation in close proximity to the highway with little opportunity for landscaping to soften the appearance. Consequently, the resultant dwelling would appear cramped and excessive in its plot.
7. Moreover, due to the prominent position the proposal would be highly visible in views along Clareville Road. Taking these factors in combination I consider that the proposal would appear as an incongruous addition at odds with the character and appearance of the area.
8. Attention is drawn to three side extensions in the area. However, I note that the remaining side space to no 36 Gumping Road is approximately 2.6m and in the case of no 2 Clareville Road the remaining side space is approximately 3m. Very limited details are before me in relation to no 40 Gumping Road. Furthermore, I note that permission was granted some time ago for the extensions to no 2 Clareville and no 40 Gumping Road within the context of a different national and development plan policy framework. None of these cases are, therefore, directly comparable to the appeal proposal which limits the weight which can be attached to them in my Decision. In any event, each case must be determined on its own merits and their presence does not justify the harm which I have identified.
9. Paragraph 59 of the National Planning Policy Framework (the Framework) states that design policies should avoid unnecessary prescription or detail. However, paragraph 60 of the Framework states that it is proper to seek to promote or reinforce local distinctiveness and for the reasons stated I consider that the proposal does not achieve this objective.
10. I, therefore, conclude that the proposal is contrary to Policy BE1 of the UDP which states that all development proposals will be expected to be of a high standard of design and layout. Furthermore, the proposal is contrary to Policy H8 of the UDP which requires proposals for the alteration or enlargement of residential properties to respect the scale, form and materials of construction of the host dwelling and be compatible with development in the surrounding area. Moreover, the proposal would be contrary to Policy H9 of the UDP and paragraph 60 of the Framework.

Other matters

11. Whilst the proposal would have some benefits for the existing occupier in terms of additional living accommodation this benefit would be outweighed by the significant harm which I have identified.

Conclusion

12. For the reasons stated and taking all other considerations into account the appeal should be dismissed.

Caroline Mulloy

Inspector