The Planning Inspectorate

Appeal Decision

Site visit made on 5 December 2016

by A J Mageean BA (Hons) BPl PhD MRTPI

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

Decision date: 3rd January 2017

Appeal Ref: APP/G5180/D/16/3158016
45 Sandy Ridge, Chislehurst BR7 5DP

- 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 David Markham against the decision of the Council of the London Borough of Bromley.
- The application Ref DC/16/02161/FULL6, dated 4 May 2016, was refused by notice dated 4 July 2016.
- The development proposed is part one/two storey side/rear extension, roof alterations to include increase in ridge height, alterations to the pitch and installation of Velux Cabrio rooflight to rear roofslope.

Decision

1. The appeal is allowed and planning permission is granted for part one/two storey side/rear extension, roof alterations to include increase in ridge height, alterations to the pitch and installation of Velux Cabrio rooflight to rear roofslope at 45 Sandy Ridge, Chislehurst BR7 5DP in accordance with the terms of the application, Ref DC/16/02161/FULL6, dated 4 May 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: DJl Ch/01 Survey; DJl Ch/01 Current; DJl Ch/01 Current 2.

    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.

Application for costs

2. An application for costs was made by Mr David Markham against the Council of the London Borough of Bromley. This application is the subject of a separate Decision.

Procedural Matter

3. I have used the more succinct description of the development provided in the Council's Decision Notice in the interests of clarity.

Main Issues

4. The main issues are the effect of the extension on both the character and appearance of the area, and on the living conditions of the occupiers of the neighbouring property at No 47 Sandy Ridge in terms of daylight/sunlight, outlook and privacy.

Reasons

Character and appearance

5. The appeal site is located on the western side of Sandy Ridge, which is characterised by two storey detached and semi-detached dwellings located in reasonably generous plots. These dwellings are of traditional design and construction with brick and render frontages and double height hipped projections containing bow windows, and hipped tiled roofs. Whilst the properties on this western side of Sandy Ridge largely retain their character, and exhibit a large degree of design consistency, I noted on my site visit that properties elsewhere on Sandy Ridge have been considerably altered and extended.

6. The appeal property itself is detached with a side driveway and rear garage. It appears not to have been previously extended. This proposal would include a two storey side extension over the existing driveway, connecting to a rear full width two storey extension, which would be set in at the side boundary with No 47 at first floor level. The roof would be altered to include an increase in ridge height of around 0.45m, an increase in the angle of the side roof slopes and the creation of a central flat roofed area. Velux windows would be inserted into the rear and southern roof slopes, with an additional Velux Cabrio balcony window to the rear.

7. It is clear that this proposal would increase the bulk of the dwelling, particularly in terms of the alterations to its roof form when viewed in the street scene. I note that this design has sought to overcome previous reasons for refusal relating to an over-dominant roof addition, though I do not have the full details of this previous case before me.

8. Nevertheless, the current proposal would retain the existing front hip projection and bow window, the porch and also eaves levels. The angle of the side roof slopes would not, in my view, be increased to an excessive degree. In these respects most of the essential features of this dwelling would be retained. As most of the other dwellings in the vicinity are already bulkier than the appeal dwelling my view is that this proposal would not, in terms of the size of the building, appear out of place. Whilst the side gap between this dwelling and No 43 would be reduced to around 1m, such distances are not unusual in this area and this therefore would not be harmful to spatial standards.

9. This proposal would therefore not have a detrimental effect on the character and appearance of this area. In this respect it would not conflict with the Bromley Unitary Development Plan 2006 (the UDP) which at saved Policies BE1 and H8 requires that extensions should complement the scale, form materials and layout of the host building and adjacent areas, and that the gaps between buildings should be retained where they contribute to the character of the area.

Living conditions

10. To the north of the appeal property No 47 Sandy Ridge has a single storey extension on the northern side of its rear elevation. It also has a conservatory attached to its southern side which is adjacent to the shared boundary with No 45. A timber fence of reasonable height defines this boundary. The rear building line of No 45 is currently located behind that of No 47. The appellant states that the proposed rear extension would project beyond the rear building line of No 47 by around 2m. As noted above, this would be set in from the shared boundary at first floor level by around 1m.

11. The reason for refusal in this case refers to the effect of the proposal on the living conditions of the occupants of No 47 Sandy Ridge. Whilst the Council's Officer Report does not detail the specific concerns in this regard, the occupiers of this property have submitted comments relating to the loss of sunlight and daylight, outlook and loss of privacy.

12. I accept that the proposed rear extension would have an impact on the levels of light reaching the rear elevation on No 47, which would be noticeable in both the conservatory and the small side window. This effect would to some degree be mitigated by the first floor set back, and more generally, the separation distance of around 2m between these properties. Overall, whilst I accept that the appeal property lies to the south of No 47, my view is that this extension would not be so deep as to cause an excessive loss of sunlight or over-shadowing to this property, or to be significantly visually intrusive.

13. As the proposed first floor side windows would be obscure glazed this element of the scheme would not cause overlooking. Also, as there is already a degree of overlooking between these properties as is typical in such residential environments, and the proposed Velux Cabrio rooflight would be set within the roof, the rear alterations would not lead to a loss of privacy for the occupiers of No 47.

14. Overall I conclude that the proposal would not have a detrimental effect on the living conditions of the occupiers of the neighbouring property at No 47 Sandy Ridge in terms of daylight/sunlight, outlook and privacy. It would therefore comply with the UDP saved Policy BE1 which, amongst other things, requires that development should not harm the living environments of the occupiers of neighbouring properties through inadequate daylight, sunlight or privacy.

Conclusion

15. As I have not found harm in relation to either the effect of the proposal on the character and appearance of the area, or the living conditions of the occupiers of the neighbouring property, I conclude that the appeal should succeed. Planning permission is therefore granted subject to the conditions necessary for the avoidance of doubt, in the interests of proper planning and to safeguard the character and appearance of the area.

AJ Mageean

INSPECTOR