
Appeal Decision

Site visit made on 5 December 2016

by A J Mageean BA (Hons) BPI PhD MRTPI

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

Decision date: 4th January 2017

Appeal Ref: APP/G5180/D/16/3158060

30 Summerhill Close, Orpington BR6 9PX

- 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 Christopher Knott against the decision of the Council of the London Borough of Bromley.
 - The application Ref DC/16/02447/FULL6, dated 20 May 2016, was refused by notice dated 11 July 2016.
 - The development proposed is double storey side and ground floor rear extension.
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Decision

1. The appeal is allowed and planning permission is granted for double storey side and ground floor rear extension at 30 Summerhill Close, Orpington BR6 9PX in accordance with the terms of the application, Ref DC/16/02447/FULL6, dated 20 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 plan: SOM30/ 1 Revision C.
 - 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.
 - 4) The extension hereby permitted shall not be occupied until the windows on the south eastern elevation have been fitted with obscured glazing, and no part of those windows that is less than 1.7 metres above the floor of the room in which they are installed shall be capable of being opened. Details of the type of obscured glazing shall be submitted to and approved in writing by the local planning authority before the window is installed and once installed the obscured glazing shall be retained thereafter.

Main Issue

2. The main issue is the effect of the proposed extension on the character and appearance of the area.

Reasons

3. Summerhill Close is a cul-de-sac of two storey semi-detached and terraced houses located on long narrow plots. From the entrance of the Close these plots and their associated dwellings on the north east and south western sides
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arc away from each other, with a further row of dwellings to the north west defining the third side of the Close. This creates a pleasant degree of openness in the centre of the Close where the properties have deeper front garden areas and low level boundary treatments. The Close also has a notable falling south east to north western gradient, providing views across the residential area to the north west, and increasing the sense of openness.

4. The dwellings themselves are broadly similar in appearance, with most having rendered frontages and tiled roofs. However, a variety of gabled and hipped roof forms are present, and a number of dwellings have two storey side extensions.
5. The appeal property is a semi-detached dwelling located on the north eastern side of the Close. As it is part of the north eastern arc it has a tapering plot, which is widest at the road side and narrows considerably at its north eastern extent. The neighbouring property at No 31 has been extended close to the shared boundary between these properties.
6. This proposal is for a two storey side extension which would project around 1m forward of the front building line of the property, and be located within 1m of the side boundary with No 31. This would taper towards the rear, reflecting the narrowing of the plot. It would have a lower ridge height and a double side gable, with a lower level roof hip to the front elevation. To the rear a full width flat roofed single storey extension with a depth of around 4m would replace an existing single storey extension on the north western half of the rear elevation which has a depth of 2.5m.
7. The Council's concern relates to the appearance of the side extension in the local street scene as it would project forward of the current front building line. Concern is also expressed about the location of this extension close to the side building line, as it is suggested that this would result in an over-development of the plot and a reduction in spatial standards. I will consider each of these matters in turn.
8. The appeal property in forming part of the arc of the Close is in a reasonably prominent position, and the extension would be a visible addition. However, the front building lines within the arcs do not follow an exact curve, and furthermore a number of dwellings within both arcs, have already been extended. In particular, the dwelling located on the opposite side of the Close to the appeal dwelling, No 3, appears to have already been extended to the front and has a prominent front gable which sits forward relative to the adjacent property, and has a fairly shallow front garden area. In this respect my view is that the proposed extension would to some extent provide a balance to the two sides of the Close when viewed from its entrance. Also, given the variety of roof forms and extensions already present in the local street scene, this extension would not appear out of place.
9. Saved Policy H9 of the Bromley Unitary Development Plan 2006 (the UDP) states that for a proposal of two or more storeys in height the Council will normally require a minimum 1m space from the side boundary to be retained for the full height and length of the flank wall. This is to prevent a cramped appearance.
10. In the present case this spacing would clearly not be met at a number of points along the length of the extension. However, as this plot widens towards its

frontage and the building itself is reasonably well set back in what is a wide and spacious road area, my view is that this extension would not appear as an over-development of this plot. Furthermore, whilst a 1m spacing is the 'normal' policy requirement, it is clear that this has not been adhered to in a number of cases around the Close, and the present proposal would not appear as an unusual addition in this respect.

11. Overall, I have found that the proposal would not have a detrimental effect on the character and appearance of the area. It would therefore not conflict with the UDP saved Policies BE1, H8 or H9 which, amongst other things, require that development should complement the qualities of the surrounding area.

Other Matter

12. The Council does not raise concerns regarding the effect of the extension on the living conditions of the occupiers of neighbouring properties. I have however considered the comments made by the occupier of No 31 regarding the effect of the extension on light entering the kitchen window of this property. In this respect the Council notes that whilst this is the only window to this room, as kitchens are not regarded as habitable the resulting loss of light would not impact unduly on the residential enjoyment of this property. I have no reason to take a different view on this matter.

Conclusion

13. I conclude that the appeal should succeed and planning permission be 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. It is also appropriate to include a condition requiring that the windows on the side elevation be obscure glazed and non-opening in order to protect the privacy of the occupiers of the neighbouring property.

AJ Mageean

INSPECTOR