
Appeal Decision

Site visit made on 16 January 2017

by P W Clark MA MRTPI MCMI

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

Decision date: 26 January 2017

Appeal Ref: APP/G5180/D/16/3164677
54 Elwill Way, Beckenham BR3 6RZ

- 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 & Mrs Stockwell against the decision of the Council of the London Borough of Bromley.
 - The application Ref DC/16/04268/FULL6, dated 9 September 2016, was refused by notice dated 8 November 2016.
 - The development proposed is a side extension at first floor level and a rear extension at ground floor level.
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Decision

1. The appeal is allowed and planning permission is granted for a side extension at first floor level and a rear extension at ground floor level at 54 Elwill Way, Beckenham BR3 6RZ in accordance with the terms of the application, Ref DC/16/04268/FULL6, dated 9 September 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: 487/010, 011, 012, 013, 020, 021, 022 and 023.

Reasons

2. The rear extension is uncontroversial. The sole main issue is the effect of the side extension on the character and appearance of the area which is designated an Area of Special Residential Character.
 3. According to Appendix 1 of the London Borough of Bromley Unitary Development Plan July 2006, the Park Langley Area of Special Residential Character has the character of a garden estate given by the quality of hedges, walls, fences and front gardens. I would concur with that and add the generous width of its roads and the wide-spreading facades of the substantial houses which line them.
 4. There is no mention of space to their sides. Contrary to the assertions in the Council's officer report, I found that a substantial proportion of the houses in Elwill Way approach to within 1m of their side boundaries at first floor level and have limited space to their sides. The Council has itself previously allowed such at numbers 48 and 50 Elwill Way.
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5. The appeal proposal would conform to that pattern and so cause no harm to the character and appearance of this Area of Special Residential Character. It would accord with those parts of UDP policies BE1, H8, H9, H10 and Appendix 1 which require proposals to complement the scale, form, layout and materials of adjacent buildings, respecting spaces or gaps, to be 1m from a side boundary and, in Areas of Special Character to respect and complement the special qualities set out in Appendix 1, which requires the space to the side to accord with the general standard.
6. I therefore allow the appeal. It is not necessary to impose the Council's suggested condition requiring matching materials as these are shown on the plans, compliance with which would be secured by a different condition suggested by the Council.

P. W. Clark

Inspector