

Appeal Decision

Site visit made on 24 January 2017

by Martin H Seddon BSc DipTP MPhil MRTPI

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

Decision date: 08 February 2017

Appeal Ref: APP/G5180/D/16/3164535
27 Beverley Road, Bromley, Kent, BR2 8QF

- 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 Gary Mesher against the decision of the Council of the London Borough of Bromley.
 - The application Ref: 16/04440/FULL1 was refused by notice dated 4 November 2016.
 - The development proposed is: existing side extension already completed under permitted development laws. Application now required for rear extension adjoining to completed side. Single storey rear extension to gain new living area and extended kitchen diner, sloped roof on all faces of extension. Sky lights to be fitted in flat part of room. Materials/finishes in keeping with existing dwellings.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The main issue is the effect of the proposal on the living conditions of neighbours in respect of outlook and received daylight and sunlight.

Reasons

3. No.27 Beverley Road is a two-storey semi-detached property located in a predominantly residential area. The adjoining semi-detached dwelling of No.25 has a single storey rear extension. That extension projects from the rear wall of No.25 by around 3 metres and is adjacent to the boundary between the two dwellings.
4. The proposed rear extension at No.27 would have sloping sides to the roof with a flat section including roof lights. It would tie into the existing single storey side extension and abut the flank wall of the rear extension at No.25. The proposed extension would project by around 6 metres into the rear garden of the appeal dwelling.
5. The rear extension at No.25 has windows in its front elevation. There is a screen fence at the boundary between the rear gardens of Nos.25 and 27. The proposed rear extension would project into the garden of No.27 for a significant distance. Despite partial screening that already exists from the boundary fence, the proposed extension would result in a harmful loss of outlook for neighbours at No.25 from the windows in their rear extension. There would also be a significant loss of sunlight to windows of the rear extension at No.25 in the afternoon period and some loss of daylight because of the height, degree of projection and proximity of the proposed extension.

6. The appellant has advised that his garage next to the boundary with No.29 Beverley Road has been demolished. Despite this, there would be an additional loss of outlook for neighbours at No.29 at the rear of their house and loss of sunlight in the morning period because of the height and proximity of the proposed extension.
7. The proposal would conflict with policy BE1 of the Bromley Unitary Development Plan (UDP) which seeks to ensure that new development proposals, including building extensions, respect the amenity of the occupiers of neighbouring buildings and avoid overshadowing. There would also be conflict with UDP policy H8 in respect of the proposed scale and form of the extension.

Other Matters

8. The appellant understood that a 6 metres deep rear extension would be in accordance with permitted development rights, but permission was required in order to build the new extension to include the width of the existing side extension at around 1.5 metres. However, although there are permitted development rights to extend at the rear of semi-detached dwellings in certain circumstances by up to 6 metres in depth, an applicant still must inform the local planning authority of the proposal under prior notification procedures.
9. The appellant has referred to rear extensions at No.57 Beverley Road (5 metre projection) and No.9 Beverley Road (6 metre projection). Having regard to the submitted drawings, the rear extension at No.57 was adjacent to an existing rear extension at the neighbouring dwelling of No.59 and had a limited degree of projection beyond the neighbouring extension, which is less than that proposed at the appeal site. The rear extension at No.9 appears to only project forward of a neighbouring existing conservatory by a short distance. I consider that these two examples are insufficient reason to justify allowing the appeal proposal before me.
10. I have taken all other matters raised into account, including the care taken by the appellant regarding the design of the extension and the lack of representations from neighbours. However, for the reasons given above the appeal is dismissed.

Martin H Seddon

INSPECTOR