

Appeal Decision

Site visit made on 15 March 2017

by Roy Merrett BSc(Hons) DipTP MRTPI

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

Decision date: 31 March 2017

Appeal Ref: APP/G5180/W/16/3162006

Land Rear of 1 Byne Road, Sydenham, London SE26 5JF

- 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 Ms Susan Smyth against the decision of the Council of the London Borough of Bromley.
 - The application Ref DC/16/03266/FULL1, dated 26 July 2016, was refused by notice dated 20 September 2016.
 - The development proposed is increase height of existing garage and addition of new pitched roof; elevational alterations to include revised door and window openings; associated landscaping.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. For clarification I have altered the description of the development and the site address to that given on the Council's decision notice as reflected on the appellant's appeal form.

Main Issues

3. The main issues are the effect of the development on i) the living conditions of adjacent residents at No 145 Venner Road with particular regard to outlook and ii) the character and appearance of the street scene.

Reasons

Living conditions

4. The appeal site is a small and irregularly shaped parcel of land, close to the junction between Byne Road and Venner Road, comprising a detached double garage with sloping roof. The building is situated directly behind No 1 Byne Road and the adjacent dwelling at No 145 Venner Road.
 5. The rear elevation of the dwelling at No 145 and the small rear garden serving that property are situated in very close proximity to the appeal site, with outlook from that property directly onto the adjoining side boundary wall of the garage. The extension would significantly increase the height of the side boundary wall of the garage so that it would be much taller than the height of a typical garden boundary structure. Taking into account the proximity and
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limited width of No 145, this would result in an overbearing sense of enclosure for residents of that property and therefore oppressive living conditions.

6. Although the development would result in the removal of two windows and a door in the side of the garage, their position at ground level means that it would be possible to maintain a screen to prevent the rear of No 145 being overlooked. The removal of these features would not therefore result in any significant improvement to privacy and accordingly I give this consideration very limited weight in support of the development. In any event it does not outweigh the significant harm I have identified above.
7. I conclude that the proposal would cause harm to the living conditions of adjacent residents at No 145 Venner Road with particular regard to outlook. It would therefore be in conflict with Policy 7.4 of the London Plan 2015 (LP) and Policy BE1 of the London Borough of Bromley Unitary Development Plan 2006 (UDP) insofar as they seek development to respect the occupiers of neighbouring buildings.

Character and Appearance

8. The appeal site is in a prominent location towards the end of a terraced residential street. The garage there appears to be in a relatively poor physical condition, secured by a barrier feature adjacent to the highway, and the prospect of it being renovated and the site tidied would in principle be beneficial to the street scene. In addition the proposal would incorporate a projecting gable feature with ornate detailing in the roof, that would accord with similar features on the adjacent terrace.
9. However the detached form of the building, the variation and lack of alignment of proposed openings in the front elevation and the building's occupation of such a tightly confined site, would result in the extended structure appearing incongruous and cramped in relation to its surroundings. These negative factors would outweigh the positive attributes referred to above.
10. For the above reasons the proposal would conflict with Policy 7.4 of the LP and Policy BE1 of the UDP insofar as they seek to achieve high quality design.

Other Matters

11. Whilst the appellant has stated that immediate neighbours have supported the development, I have not been made aware of any supporting representations in this case.

Conclusion

12. For the above reasons, and having regard to all other points raised, the appeal should not succeed.

Roy Merrett

INSPECTOR