

Appeal Decision

Site visit made on 23 March 2017

by Ian McHugh Dip TP MRTPI

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

Decision date: 12th April 2017

Appeal Ref: APP/G5180/D/17/3168536
15 MacKenzie Road, Beckenham, BR3 4RT

- 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 Graeme Crockatt against the decision of The Council of the London Borough of Bromley.
 - The application Ref DC/16/04287/FULL6, dated 12 September 2016, was refused by notice dated 24 October 2016.
 - The development proposed is a single storey rear extension.
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Decision

1. The appeal is allowed and planning permission is granted for a single storey rear extension at 15 MacKenzie Road, Beckenham, BR3 4RT, in accordance with the terms of the application Ref: DC/16/04287/FULL6, dated 12 September 2016, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 1602 001; 1602 003; 1602 004; and 1602 005.
 - 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.

Main Issue

2. The main issue is the effect of the proposal on the living conditions of the occupants of numbers 13 and 17 MacKenzie Road (numbers 13 and 17), with particular regard to outlook and natural light.

Reasons

3. The appeal property is an end-of-terrace dwelling, which is situated in a residential area. The dwelling has been extended previously at the rear. These earlier extensions comprise two storey and single storey projections. The appeal property is attached to number 17 and is separated from number 13 by a narrow pathway at the side of the dwelling.
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4. The proposal is to construct a flat-roofed single storey extension that would project out from the existing rear wall of the dwelling by a maximum of 3.75m. It would have a maximum height of 3.2m (including the parapet wall). The extension would provide additional kitchen and living accommodation at the dwelling.
5. The Council states that the proposal would have an adverse effect on outlook from numbers 13 and 17 and it would also result in a loss of sun/daylight to both of these properties. As such, the Council contends that the development would conflict with Policies BE1 and H8 of the adopted Unitary Development Plan 2006. These policies seek to ensure (amongst other things) that development proposals respect the amenity of occupiers of neighbouring buildings; and that the design of domestic extensions and alterations complements the existing building and the local area.
6. In my opinion, Policy BE1 is the most relevant to this appeal, as it relates directly to the reason for refusal as stated in the Council's decision notice. It is also consistent with the provisions of Paragraph 17 of the National Planning Policy Framework (the Framework), which states that planning should always seek to secure a good standard of amenity for all existing and future occupants of land and buildings (bullet point 4).
7. The ground floor of number 13 contains habitable room windows that face either directly towards or along the side of the proposed extension. Number 17 has a glazed door in its rear wall that faces its rear garden. In my opinion, whilst the proposed extension would have a minor impact on outlook and natural light to both properties, I am not persuaded that these effects would be unacceptably harmful. This is due to the single storey height of the proposal and its flat roofed design, plus the existence of a close boarded boundary fence between the appeal dwelling and number 13. Accordingly, I consider that there would be no conflict with the Development Plan or with the Framework, as referred to above.

Other Matter

8. Although the Council does not refer to the matter of character and appearance in its decision notice, I note that the officer's report states that the proposed extension is not in keeping with the design of the existing dwelling or with the character of the local area. The extension would, however, complement the existing building in terms of its external materials. In addition, it would be relatively low in height and would be viewed against, and in the context of, the existing two storey extension at the property. In my opinion, it would not be detrimental to the appearance of the existing dwelling and neither would it be harmful to the character of the wider area, because of its position at the rear of the dwelling.

Conditions

9. The Council has suggested conditions in the event of the appeal being allowed. These have been considered in the light of the advice contained within the Planning Practice Guidance. A condition requiring the development to be carried out in accordance with the approved plans is necessary, for the avoidance of doubt and in the interests of proper planning.

10.To ensure a satisfactory appearance, a condition requiring the use of external materials to match the existing dwelling is also necessary.

Conclusion

11.For the reasons given above, it is concluded that the appeal should be allowed.

Ian McHugh

INSPECTOR