

Appeal Decision

Site visit made on 11 April 2017

by Mr C J Tivey BSc (Hons) BPI MRTPI

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

Decision date: 27th April 2017

Appeal Ref: APP/G5180/D/17/3169614
45 Homestead Road, Orpington, Kent BR6 6HN

- 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 Brook Johnson against the decision of the London Borough of Bromley Council.
 - The application Ref DC/16/04569/FULL6, dated 29 September 2016, was refused by notice dated 29 November 2016.
 - The development proposed is for extensions and alterations.
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Decision

1. The appeal is allowed and planning permission is granted for extensions and alterations at 45 Homestead Road, Orpington, Kent BR6 6HN in accordance with the terms of the application Ref DC/16/04569/FULL6, dated 29 September 2016, subject to the following conditions:
 1. The development hereby permitted shall not begin later than three years from the date of this decision.
 2. 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.
 3. The development hereby permitted shall be carried out in accordance with the following approved plans: 15/632/01, 15/632/02 and 15/632/03A.

Main Issue

2. The main issue in this case is the effect of the proposal upon the character and appearance of the area.

Reasons

3. The site is situated in a quiet residential street comprising large detached dwellings set in generous plots. There is a fall in ground levels from the south west to north east and with the subject building being located on higher ground than 47 Homestead Road. That said, no47 comprises a hierarchy of built forms and it just so happens that its more subservient one and a half storey element is adjacent to the appeal site. Notwithstanding this, by virtue of the spacious nature of the immediate locality I consider that the increase in ridge height would not result in an overly dominant form of development, to either the host property or the street scene in general, particularly bearing in mind the considerable set-back from the road.

4. Furthermore, nos 39, 41 and 43 all contribute to the setting of no45 and are of a significantly greater bulk and scale than the subject dwelling as it currently exists. I consider that the proposal would essentially bring no 45 more in line with the overall scale of these neighbouring dwellings and, therefore I consider that the proposal would not give rise to detrimental harm to the character and appearance of the area.
5. The proposal complies with Policies BE1 and H8 of the London Borough of Bromley Unitary Development Plan 2006 which require development proposals, including extensions to existing buildings, to be of a high standard of design and layout, as well as being expected to meet all of the criteria as set out therein which include that: development should be imaginative and attractive to look at, should complement the scale, form, layout and materials of adjacent buildings and areas; and should not detract from the existing street scene, whilst respecting or maintaining the spaces or gaps between buildings.

Other Matters

6. I note that the occupants of no43 raise concerns with regard to the impact of the proposed two storey side extension upon the sunlight and daylight currently enjoyed by them in their home. In response to these concerns the Council highlight that the ground floor flank windows of no43 which serve a laundry/utility room and kitchen are both obscurely glazed. They also state that the kitchen to the neighbouring dwelling currently benefits from additional bi-fold doors to the rear elevation and that the first floor flank window serves a bedroom. However, that window is not the primary source of light or outlook to that bedroom.
7. The Council concludes that given the proposed side space, that the proposal would not result in a significant loss of light to these flank windows so as to warrant a refusal of planning permission. I have been given no substantive reasons to come to a different view on this matter, particularly bearing in mind the orientation of the appeal dwelling in comparison to the appeal dwelling.

Conclusion and Conditions

8. Therefore for the reasons set out above, and having regard to all other matters raised, I conclude that the appeal should succeed.
9. In addition to the standard time limit condition, the Council has suggested a condition requiring external materials to be used in the construction of the extensions to match those of the existing building. In the interest of the character and appearance of the surrounding area, this is an appropriate condition. In addition, for the avoidance of doubt, a condition requiring that the development is carried out in accordance with the approved plans is also imposed.

C J Tivey

INSPECTOR