
Appeal Decision

Site visit made on 9 May 2017

by Beverley Wilders BA (Hons) PgDurp MRTPI

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

Decision date: 8 June 2017

Appeal Ref: APP/G5180/D/17/3170434

26 Dartmouth Road, Hayes, Bromley, Kent BR2 7NE

- 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 Neal & Mrs Emma Anderson against the decision of the Council of the London Borough of Bromley.
 - The application Ref DC/16/04364/FULL6, dated 5 September 2016, was refused by notice dated 5 December 2016.
 - The development proposed is part single/double storey side and rear extension and alterations to front elevation.
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Decision

1. The appeal is allowed and planning permission is granted for a part single/double storey side and rear extension and alterations to front elevation at 26 Dartmouth Road, Hayes, Bromley, Kent BR2 7NE in accordance with the terms of the application, Ref DC/16/04364/FULL6, dated 5 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: MMD/NEA/3008.
 - 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 character and appearance of the area.

Reasons

3. The appeal site comprises a two storey semi-detached dwelling located on a residential road containing properties of a similar scale and design. A number of dwellings on the road have been extended to the side and there are numerous examples of both single and two storey side extensions, some of which are built up to the common side boundary with the neighbouring property and others which are set in from the side boundary. The extended properties comprise part of the character of the immediate surrounding area.

4. The single storey part of the proposed side extension would be set back slightly from the front elevation of the host dwelling and would be close to the common side boundary with the neighbouring dwelling at 28 Dartmouth Road. The two storey part of the side extension would be set further back from the front elevation and would be positioned one metre away from the side boundary with No 28. Consequently the roof of the two storey part of the side extension would be lower than and would be set back from the main roof of the host building and the side extension would appear subservient. A visual gap would be maintained between the side elevation of the extended host building and the side elevation of No 28 which is set away from the common side boundary. At my visit I noted that very similar extensions to that proposed were being constructed at Nos 20 and 22 Dartmouth Road.
5. Policy H9 of Bromley's Unitary Development Plan (UDP) relates to new residential development including extensions. It states that for a proposal of two or more storeys in height the Council will normally require a minimum 1 metre space from the side boundary of the site for the full height and length of the flank wall of the building. The supporting text to the policy states that it is important to prevent a cramped appearance and unrelated terracing from occurring.
6. Whilst there would not be a gap of 1 metre from the side of the single storey part of the extension to the side boundary there would be such a gap at first floor. As Policy H9 seeks to secure adequate side spacing between two storey parts of buildings and side boundaries I consider that the proposal is not in breach of Policy H9. The proposal would not constitute a cramped form of development or result in a terracing effect. It would be of a similar form to nearby extensions and consequently it would not be detrimental to the visual amenities of the streetscene. I am also satisfied that the design and appearance of the other aspects of the proposal to the rear of the host building are in keeping with the surrounding area.
7. Taking the above matters into consideration, I conclude that the proposal would not adversely affect the character and appearance of the area. It therefore accords with Policy H9 of the UDP which seeks to retain space around residential buildings.

Conditions

8. I have had regard to the conditions suggested by the Council. I have imposed a condition specifying the relevant plans as this provides certainty. I have also imposed a condition requiring the extension to be constructed from materials to match those used in the existing building in order to protect the character and appearance of the area. I have not imposed the suggested conditions relating to parking bays and obscure glazing as I do not consider that these are necessary. This is having regard to the scale of the development, the location of the site, the availability of on street parking and the position and nature of the first floor window in the side elevation.

Conclusion

9. For the above reasons and having regard to all matters raised, I conclude that the appeal should be allowed.

Beverley Wilders

INSPECTOR