

Appeal Decision

Site visit made on 7 June 2017

by A A Phillips BA (Hons) DipTP MTP MRTPI

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

Decision date: 14 June 2017

Appeal Ref: APP/G5180/D/17/3171691
11 Holmcroft Way, Bromley, Kent BR2 8AD

- 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 Mrs Alice Neal against the decision of the Council of the London Borough of Bromley.
 - The application Ref DC/16/05138/FULL6, dated 4 November 2016, was refused by notice dated 20 December 2016.
 - The development proposed is demolition of first floor rear bathroom and a first floor rear extension.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the living conditions of the occupants of 13 Holmcroft Way with particular reference to outlook.

Reasons

3. The appeal property is a two storey mid-terraced house situated in a mainly residential part of Bromley. It has a single storey rear extension and there is an existing first floor level pitched roof element. The property is situated in a street of similar properties in terms of age and appearance and I noted at my site visit that many have been extended to the rear.
 4. The proposal would extend at first floor level along the majority of the width of the existing rear elevation. It would be set in from the boundary with the adjacent property, No 13, by approximately 1.2 metres. However, it would result in a significantly taller flank wall close to the boundary with No 13. I observed at my site visit that No 13 has not been extended to the rear and as such the proposal would have a significant effect on glazed doors in the rear of the property which currently provide natural light and an outlook from a living room. Consequently, due to its height, siting and depth the proposal would be an overbearing and dominant addition that would significantly reduce the outlook from the nearby living room.
 5. I agree that the proposal would not have a harmful effect on the character and appearance of the area in terms of materials and overall architectural form and I also recognise that the proposal would provide the appellant with adaptable living accommodation to meet the family's needs. Furthermore, due to the orientation of the terrace the proposal would have only a limited effect on the
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sunlight reaching the rear of the adjacent property, No 13. However, none of these matters outweigh the significant concern regarding the harmful effect on the living conditions of the occupants of the adjacent residential property. In addition, the lack of objection from properties either side does not persuade me that the proposal is acceptable.

6. I have taken account of the presence of a shed which is situated between the appeal site and the glazed doors which serve the living room at No 13 and I agree that they do provide some mitigation. However, I do not consider it to be sufficient to overcome my concern regarding the overall effect of the proposal on the outlook from the living accommodation of No 13.
7. Although the current proposal is some improvement to the previous scheme dismissed at appeal I conclude that the proposal would have a harmful and unacceptable effect on the living conditions of the occupants of No 13 with particular reference to outlook. Therefore, it would conflict with Policies BE1 and H8 of the London Borough of Bromley Unitary Development Plan July 2006, Supplementary Planning Guidance No 1 General Design Principles and Supplementary Planning Guidance No 2 Residential Design Guidance which, among other things, seek to ensure that development respects the amenity of occupiers of neighbouring buildings and residential extensions should be compatible with development in the surrounding area.

Conclusion

8. Therefore, for the reasons given above and taking into account other matters raised I conclude that the proposal conflicts with the development plan taken as a whole and that the appeal should be dismissed.

Alastair Phillips

INSPECTOR