

Appeal Decision

Site visit made on 26 June 2017

by Megan Thomas Barrister-at-Law

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

Decision date: 29th June 2017

Appeal Ref: APP/G5180/D/17/3174263

2 Fir Tree Close, Orpington BR6 6LB

- 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 and Mrs A Onasanya against the decision of the London Borough of Bromley.
 - The application Ref.DC/16/04986/FULL6 dated 20 October 2016, was refused by notice dated 1 February 2017.
 - The development proposed is a first floor side extension.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in the appeal is the effect of the proposal on the character and appearance of the area.

Reasons

3. The appeal site is a two-storey terraced property within a housing estate situated on the corner of Fir Tree Close and Highfield Avenue. The area includes dwellings of various designs and heights including those with pitched roofs and those with flat roofs. The appeal property has a flat roof and is situated within an immediate area of similarly-designed buildings. It has a ground floor side extension which is very close to the side boundary fence. The south facing flank of the property and the roof of the side extension are visible as one drives or walks northwards into the estate.
 4. The proposed development would involve a first floor side extension with a width of about 1.8m and a depth of about 8.2m. The depth would match that of the existing dwelling. The proposed extension would have a flat roof of the same height as the roof to the existing property. The flank wall of the proposed extension would be about 1m from the side boundary of the property but the ground floor side extension would be retained and would be in the same close proximity to the side boundary fence.
 5. Adopted policy H9 of the London Borough of Bromley Unitary Development Plan (2006) 'UDP' entitled *Side Space* requires a 1m gap to be maintained between
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the side boundary fence and the full height and width of a flank wall where the building is two or more storeys in height. Emerging policy in the nascent development plan is similar to adopted policy H9. The proposed development would conflict with that adopted policy.

6. I have considered if there is any case to relax the policy in this instance. However, dwellings in the immediate area are densely arranged and have been designed and built to a regular pattern and general uniformity in which the spaces between and around buildings are important in order to retain a sense of openness. The proposal would create an appearance of the property being squeezed into the plot and the new flank wall would be reasonably prominent in the streetscene owing to its visible location within the estate. I am not persuaded that the policy should be relaxed.
7. Therefore, I have concluded that the proposal would unduly harm the character and appearance of the area and would be in conflict with policy H9 of the UDP. Having considered all representations made, including the nature of development which has taken place at 1 Beblets Close nearby, I dismiss the appeal.

Megan Thomas

INSPECTOR