

Appeal Decision

Site visit made on 6 June 2017

by Mike Worden BA (Hons) DipTP MRTPI

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

Decision date: 29th June 2017

Appeal Ref: APP/G5180/D/17/3166608
171 Southlands Road, Bromley BR2 9QZ

- 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 Bobby Moore against the decision of the Council of the London Borough of Bromley.
 - The application Ref DC/16/04341/FULL1, dated 15 September 2016, was refused by notice dated 5 December 2016.
 - The development proposed is alteration to the roof height. This is due to the construction in the rack and hip of the roof. The roof is constructed similar to the roof two doors away (Number 167).
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Decision

1. The appeal is allowed and planning permission is granted for a first floor rear extension at 171 Southlands Road, Bromley BR2 9QZ in accordance with the terms of the application, Ref DC/16/04341/FULL1, dated 15 September 2016.

Procedural Matter

2. I have amended the description of development from that set out on the application form to 'first floor rear extension', as I consider that this more accurately describes the development.
3. The development has been undertaken and I was able to see this on my site visit. At the request of the Council, I also visited no. 173 Southlands Road and viewed the development from inside and outside of that property.
4. The appellant submitted a revised plan, KB-002 Rev P01, to the Council prior to it issuing the decision notice. I have taken this plan in to account, and disregarded the plan it replaced, KB-002 Rev P00, in arriving at my decision.

Main Issue

5. The main issue is the effect of the development on the living conditions of the occupiers of no.173 Southlands Road with particular regard to outlook and light.

Reasons

6. The appeal property is a semi-detached cottage style house. Southlands Road contains houses of different styles and types and there are some commercial
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- premises nearby. The appeal property adjoins no. 173 Southlands Road. Both houses have rear gardens and beyond them there is an accessway to the rear of nearby houses, and allotments.
7. The development comprises a first floor rear extension over a previous flat roofed ground floor extension. The development is stepped back in tiers from the boundary with no.173 Southlands Road, such that there are 3 separate hipped projections, with the deepest one being furthest away from no. 173 Southlands Road.
 8. Although the development does not extend any deeper than the previous ground floor extension, the hipped roof nature of it does add significant bulk to the rear of the house. Nevertheless the tiered design has attempted to minimise the impact on the living conditions of the occupiers of no. 173 Southlands Road.
 9. No. 173 Southlands Road has an existing ground floor flat roofed extension covering about half of its rear elevation. Since the development at the appeal property does not extend any deeper than the previous ground floor extension did, and that the first floor extension close to no 173 sits well back on the boundary, I do not consider it has a detrimental impact on outlook or light to rear ground floor windows of no. 173 Southlands Road.
 10. No 173 Southlands Road has a single first floor window on its rear elevation and this, along with a window on the front elevation, serves an upstairs bedroom. The rear window overlooks the ground floor extension and the garden beyond.
 11. The design of the house of no. 173 Southlands Road means that this window is now somewhat inset in a void between the sloping roof over its kitchen and the side wall of the first floor extension at the appeal property.
 12. The development at the appeal site is visible from the rear bedroom window at no. 173 Southlands Road and it does have an impact on outlook. I was able to see this from my site visit. Nevertheless I do not consider that this impact is unduly harmful given the tiered design of the development.
 13. Whilst there will also be some impact on light into the bedroom, and I acknowledge the occupiers' references to it effecting light in the mornings, I consider that with the light also coming into the bedroom via the front window, the development does not result in an undue impact on light to the occupiers of the bedroom. In reaching this view, I have fully considered the occupiers' points that the bedroom is reliant equally on light from the front and rear windows, and the size of the windows.
 14. For the reasons above, I conclude that the development would not have an unacceptable impact on the living conditions of the occupiers of no. 173 Southlands Road with regard to outlook and light, and would accord with Policies BE1 and H8 of the Council's Unitary Development Plan 2006 which set out criteria for the design of new development in general, and residential extensions, respectively.
 15. I consider that these policies accord with the core planning principles set out in paragraph 17 of the National Planning Policy Framework and so have afforded them considerable weight.

Conditions

16. I have considered the two conditions suggested by the Council against the advice in Planning Practice Guidance. However since I believe that the development has been completed largely in accordance with the plans, I do not consider that there is a need to impose any conditions.
17. For the reasons given above I conclude that the appeal should be allowed.

Mike Worden

INSPECTOR