
Appeal Decision

Site visit made on 18 July 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: 25th July 2017

Appeal Ref: APP/G5180/D/17/3175645

30 Newstead Avenue, Orpington BR6 9RL

- 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 S Salins against the decision of the London Borough of Bromley Council.
 - The application Ref DC/17/00877/FULL6, dated 24 February 2017, was refused by notice dated 28 April 2017.
 - The development proposed is for a part one/two storey rear extension and a first storey side extension.
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Decision

1. I dismiss the appeal.

Main Issue

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

Reasons

3. The appeal site is situated within an established residential area where there are a variety of house types and forms, including bungalows, chalets and detached houses. The subject dwelling is a gable fronted semi-detached chalet with 28 Newstead Avenue adjoining which has had a two storey side extension from front to rear, this maintains a full width driveway between it and the boundary with 26 Newstead Avenue. The appeal dwelling has a sizable box dormer to its side roof slope, which would be removed to make way for the proposal. I have also noted the extensions that have been constructed to 70 Newstead Avenue, but there are clear differences between those and the proposals before me, and in any event, each case must be assessed on its own merits.
4. The proposed side extension would be built partly upon the driveway of no30, bringing the built form closer to the boundary with 32 Newstead Avenue which is a semi-detached bungalow. I note that the separation distance between this element and the shared boundary with no32 would be 1.3m and therefore I consider that the proposal would not conflict with Policy H9 of The London Borough of Bromley Unitary Development Plan July 2006 (UDP), as that requires a minimum 1m side space for proposals of two or more storeys. Notwithstanding this, and that the proposal would go some way to redressing the current imbalance caused by the extension to no28, the projection beyond

the existing ground floor flank elevation of the host dwelling, would tip the balance the other way. The current spacious gap between the nos 30 and 32 would be eroded.

5. In addition, the proposal would give rise to disjointed roof forms which I consider would not be subordinate in their appearance. Consequently, I find that the proposal, by reason of its overall design, bulk and mass would result in an incongruous form of development that would be detrimental to the character and appearance of the host dwelling and the wider street scene. This would be compounded by the narrowing of the gap between it and no 32 which would render it cramped within its site. Therefore, I find the proposal is contrary to UDP Policies BE1 and H8 which require all development proposals, including extensions to existing buildings, to be of a high standard of design and layout, not to detract from the existing street scene; and to require the scale and form of construction to respect or complement those of the host dwelling and be compatible with development in the surrounding area.

Other Matters

6. I note the third party's concerns with regard to the two storey extension extending beyond the existing rear elevation, however, as noted within the Council Officer's report, this would be set in 2.6m from the boundary shared with no 28 and I find therefore that it would not give rise to a material loss of outlook from habitable room windows of their property. Whilst the Officer report makes no mention with regard to the impact of the proposal upon light, and I note that a pitched roof is proposed over the existing conservatory, the rear elevation of these adjoining properties face north west and therefore are in shadow for the majority of a typical day in any case. The pitched roof proposed would impact to some degree upon the outlook from the neighbouring dwelling, but all in all, I consider that it would not be unduly overbearing and by virtue of its orientation, the proposal would not give rise to a material loss of light.

Conclusion

7. Having regard to the above and all other matters raised, I conclude that the appeal be dismissed.

C J Tivey

INSPECTOR