
Appeal Decision

Site visit made on 18 July 2017

by Oliver Blower MA (T&CP)

a person appointed by the Secretary of State for Communities and Local Government

Decision date: 10 August 2017

Appeal Ref: APP/G5180/D/3177589

9A Irene Road, Orpington BR6 0HA

- 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 R Akers against the decision of the Council of the London Borough of Bromley.
 - The application Ref DC/17/01038/FULL6, dated 3 March 2017, was refused by notice dated 30 May 2017.
 - The development is described as “retrospective erection of a garden building”.
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Decision

1. The appeal is allowed and planning permission is granted for the garden building at 9A Irene Road, Orpington BR6 0HA in accordance with the terms of the application, Ref DC/17/01038/FULL6, dated 3 March 2017, and the plans submitted with it.

Main Issue

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

Reasons

3. The appeal relates to a single-storey outbuilding which has already been constructed at the rear of the garden of 9A Irene Road. From my observations at the site visit I am content that the development that has been carried out is the same as that which has been applied for. I note that permitted development rights have been removed from the site.
 4. The development plan consists of the London Borough of Bromley Unitary Development Plan 2006 (UDP). Policy BE1 of the UDP seeks to ensure, amongst other things, that development is of a high standard of design and should not detract from the existing street scene.
 5. The outbuilding has a shallow pitched roof and is set back approximately 2.05m from the southern boundary and 2.15m from the western boundary, behind a high timber fence. It is therefore not visible from Irene Road, and only a small portion of its roof is visible from Sequoia Gardens.
 6. Although some of the building can be seen from the rear of dwellings at Sequoia Gardens and Novar Close, its simple design and use of timber cladding is typical of incidental garden buildings, and thus its appearance is in keeping
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with the suburban character of its surroundings. Moreover, given its modest scale relative to the size of the host dwelling and rear garden, the outbuilding does not appear overly large or incongruous.

7. As a result I conclude that the development does not harm the character or appearance of the area. As such, it accords with UDP policy BE1.
8. I note that the Council has suggested the standard time limit condition is imposed, alongside a condition requiring the development to be carried out in accordance with the submitted plans, and a condition requiring the external surfaces of the development match those of existing building. These conditions, however, are not necessary as the development has already been carried out. The Council has also suggested a condition to ensure that the outbuilding can only be used for purposes incidental to the main dwellinghouse; however this not necessary as any such change of use would first require planning permission.
9. Consequently, for the reasons given above and having had regard to all other matters raised, I allow the appeal and grant planning permission.

O Blower

Appointed Person