



Appeal Decision

Site visit made on 10 October 2017

by Helen Cassini BSc(Hons) DipTP MRTPI

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

Decision date: 25 October 2017

Appeal Ref: APP/G5180/D/17/3179910
201 Queensway, West Wickham BR4 9DX

- 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 Jack Osbourne against the decision of the Council of the London Borough of Bromley.
 - The application Ref: DC/17/00752/FULL6, dated 17 February 2017, was refused by notice dated 29 June 2017.
 - The development proposed is a part one/two storey front/side and rear extension.
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Decision

1. The appeal is allowed and planning permission is granted for a part one/two storey front/side and rear extension at 201 Queensway, West Wickham BR4 9DX in accordance with the terms of the application, Ref: DC/17/00752/FULL6, dated 17 February 2017, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plan: Proposed Extension at 201 Queensway Drn No. P/E1.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing host building, in respect of materials, colour, texture, profile; and in the case of brickwork, the facebond and pointing, and thereafter retained.
 - 4) The proposed window serving the shower room at first floor level shall be glazed with obscure glass and permanently retained as such.
 - 5) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no windows, other than those expressly authorised by this permission, shall be constructed in the side elevation of the dwelling facing 199 Queensway, without the prior written approval of the local planning authority.

Procedural Matter

2. I have used the description of the proposal from the Council's decision notice as it provides a full and accurate description of the development.

Main Issue

3. The main issue is the effect of the proposal on the living conditions of the neighbouring occupiers at 199 Queensway, with particular regard to outlook.

Reasons

4. The appeal site is a two storey, semi-detached dwelling located on the eastern side of Queensway. The surrounding area is predominately residential, with evidence of a number of dwellings close to the appeal site having undergone both rear and side extensions.
5. Policies BE1 and H8 of the London Borough of Bromley Unitary Development Plan 2006 (the UDP) seek, amongst other things, to ensure that development respects the amenity of occupiers of neighbouring buildings.
6. Under the proposed scheme, the existing single storey rear extension and attached side garage, which shares the boundary with the neighbouring dwelling at 199 Queensway, would be replaced with a front, side and rear extension.
7. In regard of the front elevation, the proposal width would be approximately 1.9 metres and it would not project beyond the front of the host dwelling at either ground or first floor level. It is not therefore considered that the front aspect of the proposal would result in any significant harm to the neighbouring occupiers at No 199.
8. At approximately 3.6 metres, the projection of the rear extension would be less than that of the existing rear single storey extension. However, concern has been raised by the Council with regard to the impact of the projection at first floor level, with particular regard to the potential loss of outlook for the neighbouring occupiers at No 199.
9. From observations made at the time of the site visit, it was noted that No 199 has already been extended at the rear. It is accepted that the proposed rear first floor extension would project beyond the rear building line of the dwelling No 199. Nevertheless, considerable separation exists between the host dwelling and No 199 in the form of a driveway, car port and garage.
10. In view of the intervening distance between the two dwellings and the relatively modest projection of the first floor extension beyond the rear building line of No 199, it is not considered that the proposal would result in a significant loss of outlook for the neighbouring occupiers.
11. It is therefore found that the proposal would not be harmful to the living conditions of neighbouring occupiers at No 199. This is however subject to appropriate conditions in relation to glazing and the management of windows in the side elevation closest to No 199. As such, the proposal would therefore comply with protection of residential amenity objectives Policies BE1 and H8 of the UDP.

Conditions

12. I have considered the conditions suggested by the Council against the tests of the National Planning Policy Framework and advice provided by the Planning Practice Guidance. I find them to be reasonable and necessary in the circumstances of this case, although minor amendments to the wording of some have been necessary in the interests of precision and clarity.
13. In addition to the standard commencement condition, a condition is necessary requiring that the development is carried out in accordance with the approved plans in order to provide certainty. A condition relating to materials is appropriate in the interests of safeguarding the character and appearance of the area. Finally, it is considered that conditions relating to the provision of windows in the side elevation facing 199 Queensway and the use of obscure glazing are necessary in the interests of the protection of residential amenity.

Conclusion

14. For the above reasons, I therefore conclude that, subject to conditions, the appeal should be allowed.

Helen Cassini

INSPECTOR