
Appeal Decision

Site visit made on 7 November 2017

by Sarah Colebourne MA, MRTPI

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

Decision date: 17th November 2017

Appeal Ref: APP/G5180/D/17/3181099
17 Mackenzie Road, Beckenham, BR3 4RT

- 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 Ms Charlotte Fletcher against the decision of the Council of the London Borough of Bromley.
 - The application Ref DC/17/01052/FULL6, dated 6 March 2017, was refused by notice dated 5 May 2017.
 - The development proposed is a single storey side/rear extension.
-

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this case is the effect on the living conditions of the neighbouring occupiers at no 19 Mackenzie Road.

Reasons

3. Policy BE1 in the Council's Unitary Development Plan (UDP) (2006) seeks to ensure that development respects the amenity of neighbouring and future occupiers and as such accords with the National Planning Policy Framework ('the Framework') which seeks to encourage high quality design.
4. 17 Mackenzie Road is a mid-terrace Victorian house. A previous scheme for a similar extension was refused for the same reason. The current scheme has the same footprint but omits a parapet wall and has a lower roof. It would provide an extended kitchen/dining area to the side and rear of the property. The extension would be sited within but alongside the side boundary with the neighbouring property at no 19 for a distance of some 6.6m and would have a height of some 2.5m on the boundary. It would have a pitched roof with three rooflights in the side roof.
5. No 19 has a rear window and side window which would face the extension. Those windows are already somewhat enclosed by no 17 together with a 2m high fence and a tall tree within the appeal site. However, the length and height of the extension and its proximity to no 19 would create a tunnelling effect which would exacerbate the sense of enclosure to an unacceptable degree. Although the appellants say that the through lounge room at no 19 has a dual aspect, the rear south-east facing window to that room would suffer overshadowing and a loss of morning sunlight. Whilst the kitchen has windows in both the side and rear elevations, the side window would be extremely close

to the extension. Although the appellants say it is a functional space with no dining facility it is still a habitable room. When seen from no 19 the proposed extension would therefore appear unduly overbearing and would result in a loss of outlook and light causing significantly harm to the living conditions of the neighbouring occupiers. I have noted that there has been no objection from those occupiers but the Council's policy seeks to protect the living conditions of future as well as existing occupiers.

6. Although the two storey rear projection at no 19 extends beyond the rear wall of no 17, it differs from this proposal because it does not sit adjacent to the side boundary. I have also noted the appeal which was allowed recently for a rear extension at the adjoining property to the other side of the appeal site, no 15 Mackenzie Road. I agree with the Council that the circumstances of that appeal differ significantly because as I saw at my visit, there is a greater separation between that property and its neighbour at no 13 and the extension has a flat rather than a pitched roof. These matters are not therefore directly comparable to this appeal and as such do not provide justification for the harm that would be caused in this case.

Conclusion

7. I conclude, therefore, that the proposal would conflict with UDP policy BE1 and the development plan as a whole and there are no material considerations that justify determining the appeal otherwise. The appeal should be dismissed.

Sarah Colebourne

Inspector