



Appeal Decision

Site visit made on 13 November 2017

by Tim Wood BA(Hons) BTP MRTPI

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

Decision date: 1st December 2017

Appeal Ref: APP/G5180/W/17/3180778
23 The Drive, Orpington, Kent BR6 9AR

- 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 Mrs Elaine Hamilton against the decision of the Council of the London Borough of Bromley.
 - The application Ref DC/16/05062/FULL1, dated 16 November 2016, was refused by notice dated 8 March 2017.
 - The development proposed is the sub-division of the plot and construction of a 3 bed, 2 storey detached dwelling to the rear of No 23 The Drive, with 2 car parking spaces with access from The Avenue.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this appeal are the effects of the proposal on the character of the area and whether the proposal would provide for a satisfactory living environment and standard of accommodation for future residents.

Reasons

Character of the Area

3. The appeal site forms part of the rear garden of No 23 The Drive. No 23 is one of a number of detached houses on The Drive with relatively large rear gardens. Nos 15 to 23 have rear gardens which have their rear boundary with the road at The Avenue. The area generally has a spacious character, with mature landscaping in a number of the rear gardens. The existing garden at the appeal site and that of its neighbours add to the verdant character when seen from The Avenue.
4. The proposed 2 storey house would be sited a short distance from the boundary with The Avenue and set to one side of the plot. 2 car parking spaces are proposed at the front corner of the plot, adjacent to the house and an area of garden would be positioned to the side of the house. There would be very little space between the rear of the proposed house and the plot boundary.
5. When compared with the majority of the surrounding plots, which define the character of the area, the proposal would provide a small and restricted plot

which would be uncharacteristic. The proposed house would be sited close to its front plot boundary and very close to one side and the rear boundaries. As a result, the proposal would appear unduly cramped and constrained within its site and would be contrary to the spacious character which prevails in the area. As a result, the proposal is contrary to Policies BE1 and H7 of the Council's UDP and Policy 3.5 of the London Plan.

Living Environment/Standard of Accommodation

6. The proposal is for a 3 bedroom house and the Council points out that the 3rd bedroom is unacceptably small. Reference is made to the nationally described space standards which advise on floor areas for various room types, amongst other things. Although the appellant makes the broad statement that internal space standards are met, she offers no dispute in relation to the figures set out by the Council. Taking account of those figures, it is clear that the 3rd bedroom would fall below the above standard and in my view would not provide a sufficient standard of accommodation as a result.

Other Matters

7. Although not raised by the Council, local residents raise concerns relating to overlooking and direct visual intrusion from the proposal. Having taken account of the previous appeal decision (Ref; APP/G5180/W/15/3140884) and the findings of my fellow Inspector, I find no unreasonable effects in this respect. I have taken into account all other matters raised but find nothing of sufficient weight to add to my concerns.

Conclusion

8. I conclude that the proposal would have a significantly detrimental effect on the character of the area and would not provide a suitable standard of accommodation for its intended residents. As a result, the proposal is contrary to UDP and London Plan Policies set out above and there are no considerations sufficient to outweigh this conflict. Therefore, the appeal is dismissed.

S T Wood

INSPECTOR