



Appeal Decision

Site visit made on 29 July 2019 by Elizabeth Davies BSc (Hons) PIEMA

Decision by Andrew Owen BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9th August 2019

Appeal Ref: APP/G5180/D/19/3228842

2 Riverside Close, Orpington BR5 3HJ

- 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 Carol Kennor against the decision of the Council of the London Borough of Bromley.
 - The application Ref DC/19/01203/FULL6, dated 11 March 2019, was refused by notice dated 7 May 2019.
 - The development proposed is a single storey rear extension.
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Decision

1. The appeal is allowed and planning permission is granted for a single storey rear extension at 2 Riverside Close, Orpington BR5 3HJ in accordance with the application, Ref DC/19/01203/FULL6, dated 11 March 2019 subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
 - 3) The development hereby permitted shall be carried out in accordance with the approved plans: 001, 002, 003, 004 and 005.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issue

3. The main issue is the effect of the extension on the living conditions of the occupiers of No. 3 Riverside Close with regard to outlook.

Reasons for the Recommendation

4. No.3 Riverside Close is a mid-terrace dwelling which adjoins the appeal property. Along with the other houses in the terrace it benefits from a long, but relatively narrow garden that borders the River Cray at the rear.

5. The proposed extension would abut the boundary with No.3, and would project above the boundary fence. However, I do not consider that the extension would be so large or prominent in height or depth that it would prevent the occupiers of No. 3 from continuing to have open views from their rear windows down their garden to the River Cray beyond. In this context, it would not feel overbearing, or have an unacceptable effect on the outlook, from the inside, or from the garden of, No.3 Riverside Close.
6. On this basis, the proposed development would accord with Policy 37 of the Local Plan (January 2019) which seeks to ensure development respects the amenity of occupiers of neighbouring buildings and those of future occupants, providing healthy environment and ensuring they are not harmed by noise and disturbance, inadequate daylight, sunlight, privacy or by overshadowing. The proposed extension would also accord with Policy 6 of the Local Plan which seeks to ensure the scale, form and materials of construction should respect or complement those of the host dwelling and be compatible with development in the surrounding area.

Other Matters

7. The appeal property is located within St Paul's Cray Conservation Area. Given the proposed rear extension will not be visible from Riverside Close, will have very limited visibility from Main Road, and the design, scale and materials would be appropriate, I concur with the Council's conclusion that the character and appearance of the St Paul's Cray Conservation Area would be preserved.
8. Though I note the concerns from some neighbours, I find the dual pitched roof design of the proposed extension, its depth reflecting that of the conservatory at No.1, and the use of materials to match the existing property, will ensure the development is in keeping with the host dwelling and other properties in the Close.

Conditions

9. I have imposed the standard conditions relating to the commencement of development and specifying the relevant plans in order to provide certainty. I have included a condition requiring the external materials match the existing building to protect the character and appearance of the area.

Conclusion and Recommendation

10. For the reasons given above, and having had regard to all other matters raised, I recommend that the appeal is allowed.

Elizabeth Davies

APPEAL PLANNING OFFICER

Inspector's Decision

11. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is allowed.

Andrew Owen

INSPECTOR