
Appeal Decision

Site visit made on 23 August 2019

by John D Allan BA(Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 6th September 2019

Appeal Ref: APP/G5180/D/19/3232331

9 Princes Avenue, Petts Wood, Orpington, BR5 1QP

- 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 Du Plessis against the decision of the Council of the London Borough of Bromley.
 - The application Ref DC/19/01595/FULL6, dated 4 April 2019, was refused by notice dated 28 June 2019.
 - The development proposed is demolition of detached garage at rear and erection of single-storey side and rear, and first floor rear extension.
-

Application for Costs

1. An application for costs was made by Mr Du Plessis against the Council of the London Borough of Bromley. This application is the subject of a separate decision.

Decision

2. The appeal is allowed and planning permission is granted for demolition of detached garage at rear and erection of single-storey side and rear, and first floor rear extension at 9 Princes Avenue, Petts Wood, Orpington, BR5 1QP in accordance with the terms of the application, Ref DC/19/01595/FULL6, dated 4 April 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 development hereby permitted shall be carried out in accordance with the following approved plans: Drg Nos 01 Rev B, 02 Rev D, 03 Rev B and 04.
 - 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 building.
 - 4) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no windows shall be

constructed on the flank elevation of the first-floor rear extension hereby permitted.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

4. The appeal property is a semi-detached, two-storey dwelling set within the Petts Wood Area of Special Residential Character (ASRC), an area developed on the garden suburb principle and described by the Council as having a semi-rural feel characterised by a sense of openness predicated by low boundaries and visible front gardens, with dwellings set back from the road and spaciousness between houses which are of a superior standard. The appeal site backs on to The Chenies, Petts Wood Conservation Area (CA).
5. In March 2019, planning permission was granted on appeal (Ref APP/G5180/D/18/3214056) for what was described as '*erection of a single-storey side and rear extension*'. The Inspector recognised that the extensions would be connected and would wrap around the property in one piece, but that they would create an integrated and subordinate relationship with the house and its neighbours, with no significant impact on the character or appearance of the ASRC and no harm to the setting of the CA. The permission remains extant.
6. The current appeal proposal is a variation to the previously permitted scheme by: (i) omitting a small recess to the side elevation of the side extension adjacent to an adjoining flank window to 7 Princes Avenue; (ii) projecting part of the single-storey rear extension 2m deeper into the rear garden adjacent to the boundary with No 7; and (iii) including a first floor infill extension to the outside rear corner of the original dwelling to square-off the floor plan of the building at this level.
7. When seen from Princes Avenue, the current appeal proposal would appear identical to the permitted scheme. The extension would be set back to align with the dwelling's recessed porch and would have a hipped roof over to give the impression of a simple attached side garage that would largely replicate the arrangement adjoining, to the side of No 7, and other similar features that are common within the ASRC. I share the previous Inspector's view that the closing of the gap between Nos 7 and 9 at ground floor level would not create a terraced or cramped effect and that the symmetry of the semi-detached pair at Nos 9 and 11 would be maintained. There is no evidence before me to suggest that there has been any material change in circumstances since the last appeal decision that would lead me to come to any other alternative conclusion.
8. The additional depth to the single-storey extension would predominantly cover the footprint of a detached garage to the rear of the dwelling and which adjoins the site's side boundary with No 7. The depth of the extension at this point would approximately align with the side/rear extension to No 7, which similarly adjoins the common side boundary between both dwellings. There would be no encroachment beyond the rear building lines established along this part of Princes Avenue, and no unreasonable erosion of the spacious and deep rear garden.

9. The first-floor extension would be modest in size and would sympathetically follow the form and profile of an existing two-storey rear projection that spans part of the property.
10. The appeal proposal would have no different impact than the permitted scheme upon the spatial qualities or visual character of Princes Avenue. The additional floorspace included as part of this current proposal through the omission of a small recess, a deeper single-storey extension, and a modest first-floor extension, would not be significant in terms of size and would have no impact upon the wider character or appearance of the Petts Wood ASRC. The proposed extensions would be sympathetic to the existing dwelling. There would be no impact upon the setting of the nearby CA. For these reasons, there would be no conflict with Policies 4 *Housing Design*, 37 *General Design of Development*, or 44 *Areas of Special Residential Character* of the London Borough of Bromley Local Plan 2019 which, amongst other things, seek to ensure that development achieves a high standard of design and respect for local character, including the special and distinctive qualities of ASRCs.

Other Matters

11. The matter relating to the enclosure of the side window to the side extension at No 7 was addressed in the last appeal decision. Having regard to the fact that the space served by the window is also served by rooflights that provide a source of daylight, and that the appeal property would benefit from permitted development rights that would allow an extension that would similarly block off light from this window, I have no reason to deviate from the conclusions of the last Inspector or the Council on this matter.

Conditions

12. A condition specifying the relevant drawings is necessary as this provides certainty. In the interests of maintaining the character and appearance of the area a condition is required to control the external materials that would be used for the works. In order to safeguard the living conditions at 7 Princes Avenue a condition is necessary to prevent any windows being installed in the side elevation of the first-floor rear extension. Where necessary and in the interests of clarity and precision I have altered the wording of the Council's suggested conditions to better reflect the guidance within the National Planning Policy Framework and the Planning Practice Guidance.

Conclusion

13. For the reasons given, in the absence of any other conflict with the development plan, I conclude that the proposal would not harm the character or appearance of the area. Accordingly, and having regard to all other matters raised, the appeal is allowed.

John D Allan

INSPECTOR