



Appeal Decision

Site visit made on 13 January 2020 by Thomas Courtney BA (Hons) MA

Decision by Kenneth Stone BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 07 February 2020

Appeal Ref: APP/G5180/D/19/3234610

23 Degema Road, Chislehurst, Kent BR7 6HN

- 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 David Warren against the decision of the London Borough of Bromley Council.
 - The application Ref DC/19/02243/FULL6, dated 13 February 2019, was refused by notice dated 31 July 2019.
 - The development proposed is a single storey rear extension, flat roof, whole width of existing house, all materials to match existing.
-

Decision

1. The appeal is allowed and planning permission is granted for a single storey rear extension, flat roof, whole width of existing house, all materials to match existing at 23 Degema Road, Chislehurst, BR7 6HN, in accordance with the terms of application Ref DC/19/02243/FULL6, dated 31 July 2019 and subject to the following conditions:
 - 1) The development hereby permitted shall begin no 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 plans: Drawing Nos. SBA22-01-01 Existing Elevations, SBA22-01-02 Existing ground Floor Plan, SBA22-01-03 Existing First Floor Plan, SBA22-02-01 Proposed Ground Floor Plan, SBA22-02-02 Proposed First Floor Plan, SBA22-02-03 Rev A Proposed Elevations, SBA22-02-04 Existing & Proposed Sections.
 - 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.

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 proposed development on the living conditions of the occupants of No.25, with particular regard to outlook.
-

Reasons for the Recommendation

4. The appeal property comprises a two-storey end of terrace dwelling within an established residential area. The proposal would result in a single storey flat roof rear extension which would stretch across the full width of the existing house abutting the boundaries of the neighbouring properties at Nos. 21 and 25. Currently, the appeal property accommodates a single storey side extension abutting the boundary with No. 25. Therefore, the proposed development will complete an 'L' shaped wrap-around extension on the ground floor.
5. The proposed extension is single storey and flat-roofed and therefore of modest height. The additional projection beyond the original rear main wall of the appeal property associated with the separation from No.25 would ensure that there was no significant loss of outlook or overbearing effect. Furthermore, the boundary treatment would further reduce the impact of the extension which would only project a limited amount above the height of the fencing.
6. The increase in built form as a result of the proposed extension may reduce the amount of light received by the rear conservatory and ground floor side window of 25 Degema Road. However, by virtue of its modest height, it will not reduce the amount of light received by No. 25 to an unacceptable degree.
7. I therefore find that the proposed development would not adversely impact on the living conditions of the occupants of 25 Degema Road with regards to outlook. The development therefore is in accordance with Policies 6 and 37 of the Bromley Local Plan (2019) which aim to ensure new development and residential extensions are of good design, well related to their contexts and respectful of the amenity of occupiers of neighbouring buildings. These aims are consistent with the National Planning Policy Framework (the Framework) which aims to ensure a high standard of amenity for residents.

Other Matters

8. I have had regard to the neighbour's concerns at No.25. In particular, I sympathise with the relative's health conditions and their need for sunlight exposure. However, the modest height of the proposed development will not reduce the amount of sunlight received by the occupants of No. 25 to such a degree that their living conditions would be unacceptably affected. No. 25 will still enjoy a south-facing rear elevation and garden in which the proposed extension would not materially reduce the amount of sunlight throughout the day.
9. Similarly, I note the neighbour's concerns at 21 Degema Road. The proposed development will extend along the shared boundary with No. 21, however, due to its modest height and depth it will not adversely impact the living conditions of the occupiers of No. 21 with regards to outlook and sunlight. The Council came to the same view in this regard. Furthermore, I do not accept that the proposal would result in overdevelopment. It would appear as a conventional single storey rear extension and would not imbalance the existing terraced block.
10. Concerns regarding noise levels, earth movements and general disturbance during construction do not affect my view that the development is acceptable in planning terms.

Conditions

11. The Council has suggested a number of conditions that it would wish to see imposed in the event that the appeal was successful. I have considered the suggested conditions against the advice on conditions set out in the Framework and the Planning Practice Guidance.
12. I have imposed the standard conditions relating to the commencement of development and specifying the relevant plans in order to provide certainty. I have also included a condition requiring the external materials match the existing building, to protect the character and appearance of the area.

Recommendation

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

Thomas Courtney

APPEAL PLANNING OFFICER

Inspector's Decision

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

Kenneth Stone

INSPECTOR