



Appeal Decision

Site visit made on 16 January 2020 by Thomas Courtney BA(Hons) MA

Decision by Andrew Owen MA BA(Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 February 2020

Appeal Ref: APP/G5180/D/19/3237854

3 Viridian Mews, Orpington BR6 0FA

- 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 Sergey Pechinin against the decision of the London Borough of Bromley Council.
 - The application Ref DC/19/02155/FULL6, dated 20 May 2019, was refused by notice dated 11 July 2019.
 - The development is a proposed rear conservatory.
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Decision

1. The appeal is allowed and planning permission is granted for a rear conservatory at 3 Viridian Mews, Orpington BR6 0FA, in accordance with the terms of application Ref DC/19/02155/FULL6 dated 20 May 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. 03, 04, 05 and 07.
 - 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 whether the development would provide satisfactory living conditions for the occupants of No.3 Viridian Mews, with particular regard to private outdoor amenity space.

Reasons for the Recommendation

4. The appeal property is located on a mews off the High Street within the Priory Orpington Conservation Area. It comprises a two-storey terraced dwelling with a roughly rectangular rear garden. On my site visit I observed a rear extension
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at No.5, to the east of the appeal property, which would appear to be similar to the proposed rear conservatory.

5. The erection of the proposed conservatory on the existing patio area would reduce the amount of garden space available. The Council is concerned the depth of the proposal would occupy too large a proportion of the garden and thus constitute overdevelopment. In my view, the proposal is of a modest scale and would still allow for an adequate amount of sitting-out space and functional space for usual private outdoor activities. Therefore, I do not find the proposed development will constitute overdevelopment or reduce the amount of garden space available to such an extent that it would adversely affect the living conditions of residents of the appeal property.
6. The development therefore accords with Policies 4 and 37 of the Bromley Local Plan (2019) which aim to ensure new development is well designed and provides a suitable amount of private outdoor space, and the National Planning Policy Framework (NPPF) which aims to ensure a high standard of amenity for residents.

Other Matters

7. Due to the small scale and limited visibility of the development in the wider context, it would preserve the character and appearance of the Priory Orpington Conservation Area.

Conditions

8. 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 NPPF and the Planning Practice Guidance.
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 also included a condition requiring the external materials match the existing building, to protect the character and appearance of the area.

Recommendation

10. 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

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