
Appeal Decision

Site visit made on 25 February 2020 by Emma Worby BSc (Hons) MSc

Decision by V Lucas LLB (Hons) MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 March 2020

Appeal Ref: APP/G5180/D/19/3242487

5 Brookwood Close, Shortlands, Bromley BR2 0RP

- 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 & Mrs N Williams against the decision of the Council of the London Borough of Bromley.
 - The application Ref DC/19/03029/FULL6, dated 10 July 2019, was refused by notice dated 6 September 2019.
 - The development proposed is a single storey rear extension in place of conservatory and addition of window and patio doors to existing ground floor bedroom.
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Decision

1. The appeal is dismissed.

Appeal Procedure

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

Main Issues

3. The main issues are the effect of the proposed single storey rear extension on:
 - a) the character and appearance of the area;
 - b) the living conditions of the occupiers of the neighbouring dwelling, No.4 Brookwood Close, with regard to outlook.

Reasons for the Recommendation

Character and Appearance

4. The appeal site is occupied by a two-storey detached dwelling located within the cul-de-sac of Brookwood Close. The surrounding area is residential and the dwellings within Brookwood Close are similar in appearance and located within close proximity to one another. The appeal property currently has a conservatory to the rear, on the boundary with the neighbouring property No.4 Brookwood Close. The proposal would replace this existing conservatory with a single storey rear extension with a pitched roof that extends the full width of the two-storey part of the dwelling.
5. The proposed rear extension would not be visible from the public realm and therefore would have no impact upon the streetscene. Although, the proposed

extension is relatively large in comparison to the existing conservatory, due to its single storey nature, the proposal would not be overly dominant within the rear garden, which is of a sufficient size to accommodate the proposal, and would be subservient to the main dwelling. It is noted that similar extensions within this cul-de-sac are uncommon. However, the proposed materials would match that of the appeal property and surrounding dwellings, and the design of the extension would not appear incongruous within this residential setting.

6. It is noted that although included within the reason for refusal, the Council have confirmed within their report that the proposal would complement the host property and would not appear out of character within the surrounding area.
7. Consequently, the proposed development would not have a harmful impact on the character and appearance of the area. Therefore, the proposal would be in accordance with the parts of Policies 6 and 37 of the London Borough of Bromley Local Plan (2019). These policies seek to ensure that the enlargement of residential properties respects or complements the host dwelling and is compatible with development in the surrounding area, with a high standard of design and layout.

Living Conditions

8. The neighbouring dwelling at No.4 Brookwood Close is set back from the rear elevation of the appeal property. Due to this, the outlook from the occupiers of No.4 is already impacted by the existing appeal property. The proposed extension would be located directly adjacent the boundary with No.4 and although it would extend to the same depth as the existing conservatory, the proposal would be greater in both eaves height and ridge height. Therefore, although the proposal is single storey in nature and would have a pitched roof, it would still have a greater impact on the outlook from the neighbouring property than the existing conservatory.
9. This impact on outlook would be further exacerbated by the presence of solid wall rather than the current glass and the close proximity of the two properties to one another. Therefore, due to the existing positioning of the two dwellings and the depth and height of the proposed extension, the proposal would detrimentally affect the outlook from the neighbouring properties patio doors closest to the boundary and the daylight they would receive, as well as having an overbearing impact on the neighbouring garden.
10. Due to the sufficient separation distance between the proposed rear extension and the other boundaries, the proposal would not impact the living conditions of the occupiers of any other neighbouring properties.
11. For the reasons above, I consider that the proposed development would have a harmful impact on the living conditions of the occupiers of the neighbouring dwelling. Therefore, the proposal would be contrary to parts of Policy 37 of the London Borough of Bromley Local Plan (2019) which requires that new development respects the amenity of occupiers of neighbouring buildings, ensuring that they are not harmed by inadequate daylight, sunlight or by overshadowing.

Other Matters

12. The appellant has highlighted that the existing conservatory is not fit for purpose, that the family require more space and that moving is not a viable option. Although I understand the appellants endeavours to improve their quality of life, these are personal circumstances and not public benefits, and therefore can only be afforded minimal weight.
13. It is also noted that there is a similar single storey rear extension at No.12 Brookwood Close. However, the relationship of this dwelling with the neighbouring properties is different from the appeal site before me and therefore not directly comparable.

Conclusions and Recommendation

14. Although the proposed development would not have a detrimental impact upon the character and appearance of the surrounding area, this demonstrates a lack of harm and is considered a neutral matter that does not weigh in favour of the proposal. The proposed single storey rear extension would have a harmful impact on the living conditions of the occupiers of the neighbouring dwelling, No.4 Brookwood Close, with regard to outlook.
15. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal is dismissed.

Emma Worby

APPEALS PLANNING OFFICER

Inspector's Decision

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

V Lucas

INSPECTOR