

Appeal Decision

Site visit made on 29 September 2020

by J Bell-Williamson MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 8 October 2020

Appeal Ref: APP/G5180/D/20/3252327

11 Hillyfields, Hayes Mead Road, Hayes, Bromley BR2 7HR

- 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 Harvey against the decision of the Council of the London Borough of Bromley.
 - The application Ref DC/19/05330/FULL6, dated 19 December 2019, was refused by notice dated 27 March 2020.
 - The development proposed is two storey rear extension; loft conversion; alterations to roof to increase ridge height and insert 4 rooflights; removal of the front bay window on the ground floor and replacement of the same with window to front elevation; relocation of the main entrance and replacement of the current entrance with an infill.
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Preliminary Matter

1. Despite the description of development referring to the insertion of four rooflights, the submitted plans show only three rooflights. I have, therefore, determined the appeal on the basis that three rooflights would be incorporated as part of the proposed loft conversion.

Decision

2. The appeal is allowed and planning permission is granted for two storey rear extension; loft conversion; alterations to roof to increase ridge height and insert 4 rooflights; removal of the front bay window on the ground floor and replacement of the same with window to front elevation; relocation of the main entrance and replacement of the current entrance with an infill at 11 Hillyfields, Hayes Mead Road, Hayes, Bromley BR2 7HR. The permission is granted in accordance with the terms of the application, Ref DC/19/05330/FULL6, dated 19 December 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) Development shall be carried out in accordance with the following approved plans (all dated 17 December 2019): site plan, ground floor plan, first floor plan, loft plan, roof plan, front elevation, rear elevation, east side elevation, west side elevation, section A-A.
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- 3) The materials to be used in the construction of the external surfaces of the extensions hereby permitted shall match those used in the existing building, unless shown differently on the approved plans.

Main Issues

3. The main issues are the effect of the proposed extensions on the character and appearance of the street scene; and the effect on the living conditions of the occupiers of No 13 Hayes Mead Road, with regard to outlook.

Reasons

Character and Appearance

4. No 11 is a two storey detached dwelling in a residential cul-de-sac, which includes a mix of detached dwellings and bungalows.
5. Policy 6 of the Council's Local Plan concerns residential extensions and, amongst other criteria, requires that 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. Policy 37 of the same plan requires, amongst other matters, that development should positively contribute to the existing street scene.
6. The Council's principal concern is the effect of the enlarged roof to create additional living space. This would increase the existing roof's height by 1.7 metres and would replace the articulated front roof slope, which includes three distinct pitched elements of varied size, with a single much larger pitched slope.
7. The enlarged roof and extensions would result in a taller, bulkier building and these changes would be particularly apparent in contrast to the single storey dwellings either side of No 11. However, the street scene is varied and the nearest comparable dwellings to the appeal property are Nos 3 and 5. Both are large detached dwellings, which are taller than No 11 and which have large, bulky roof profiles not dissimilar to the appeal proposal. Consequently, despite the contrast with its immediate, smaller neighbours, the proposed roof enlargement and other changes would not be uncharacteristic or incongruous in the street scene.
8. The appeal property is located at the end of the cul-de-sac, is set back from the road at an angle and there are street trees close to the property. These features result in No 11 not being prominent in the street scene, unlike Nos 3 and 5, which are more readily visible examples of similarly large detached dwellings.
9. Therefore, for these reasons, I conclude that the proposal would not have an unacceptably harmful effect on the character and appearance of the street scene. As such, there is no conflict with Policies 6 and 37 of the Local Plan, as described.

Living Conditions

10. The side elevation of the neighbouring bungalow, No 13, faces towards the shared side boundary close to where the rear two storey extension is proposed

to the appeal property. This side of No 13 includes a number of windows and a door. However, two of the windows and the door include obscured glass. Of the other two windows, one serves the garage and the other is a kitchen window. These are non-habitable spaces and the view from the low-level kitchen window would not be directly affected by the extension. The outlook from this window would still be of the side boundary fence and planting above this. No 13's rear garden would retain a good degree of separation from the extended neighbouring dwelling.

11. Consequently, the proposal would not have a materially harmful effect on the living conditions of the occupiers of No 13 Hayes Mead Road, with regard to outlook. As such, there is no conflict with Policy 37 of the Local Plan to the extent that it addresses the effects of development on residential amenity. Policy 6 of the Local Plan is less relevant to this issue as it does not concern the effect of development on amenity.

Other Matters

12. The Council's report refers also to the effect on privacy and light with regard to the neighbouring property. However, the side elevation facing No 13 would not include windows and the extensive glazing to the rear would face directly towards the appeal property's rear garden. The appellants have submitted a sunlight and daylight analysis report. This demonstrates that due to the relative orientation of the properties and the position of the extensions, there would be no overshadowing or harmful loss of light from the appeal proposal. Therefore, while I have had regard to these other matters they do not alter the overall conclusion.

Conditions and Overall Conclusion

13. Of the Council's suggested conditions I have imposed the standard time condition and, to ensure the proper implementation of development in accordance with the submitted details, one requiring development to be carried out in accordance with the approved plans. I agree also that a condition requiring the external materials used to match those of the existing building, unless these are shown differently on the approved plans, is needed in the interests of the appearance of the host dwelling and surrounding area.
14. For the reasons given above and having regard to all other matters raised, it is concluded that the appeal should be allowed.

J Bell-Williamson

INSPECTOR