

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: 14 October 2020

Appeal Ref: APP/G5180/D/20/3251990
57 Tweedy Road, Bromley BR1 3NH

- 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 Ross Lazaroo-Hood against the decision of the Council of the London Borough of Bromley.
 - The application Ref DC/20/00198/FULL6, dated 13 January 2020, was refused by notice dated 10 March 2020.
 - The development proposed is ground floor rear extension and rear first floor terraced balcony.
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Decision

1. The appeal is dismissed insofar as it relates to the rear first floor terraced balcony, but is allowed insofar as it relates to the ground floor rear extension. Accordingly, planning permission is granted for ground floor rear extension at 57 Tweedy Road, Bromley BR1 3NH. The permission is granted in accordance with the terms of the application, Ref DC/20/00198/FULL6, dated 13 January 2020, 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 plan, so far as relevant to the ground floor rear extension hereby permitted: TWE57/1 Revision C.
 - 3) The materials to be used for the ground floor rear extension hereby permitted shall match those used in the existing building, unless shown differently on the approved plan.

Main Issue

2. The main issue is the effect of the proposed terraced balcony on the character and appearance of the surrounding area.

Reasons

3. The appeal property is a mid-terrace two storey dwelling, with living space in the roof in a predominantly residential area with some commercial properties nearby. The proposed balcony would be located on an existing flat-roofed upper storey projection to the rear of the property.
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4. The parties refer to a previous application for similar development that was refused (reference 19/04529/FULL6). While I note this earlier application, the current appeal involves a separate proposal which I have considered on its own merits.
5. Policy 6 of the Bromley 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 existing flat-roofed projection to the rear enables a degree of openness and views of the main roof profile. There are a number of examples of the same feature on neighbouring properties in the terrace, notably Nos 59 and 61. There is, therefore, a degree of uniformity of character and appearance of properties to the rear, which is visible from both neighbouring gardens and from the public realm in views from Mitchell Way, which runs off Tweedy Road.
7. The submitted plans show the balcony enclosed by a balustrade comprising obscured glass panels some 1.8 metres in height. I acknowledge that the form and extent of this enclosure is to maintain privacy in use of the balcony. However, the height of the balustrade would make the balcony itself highly visible from the surrounding gardens and Mitchell Way. It would add bulk to the rear of the property as well as reduce the characteristic openness; and the height of the balustrade would be disproportionate to the space it would enclose and the scale of the host dwelling.
8. There are no examples of similar use of the flat-roofed upper storey on neighbouring properties. Consequently, the prominence and incongruous appearance of the terrace would be heightened by the contrast with the original features on adjacent properties. As such, the balcony would appear as uncharacteristic and would upset the degree of uniformity that currently exists across this part of the terrace.
9. The rear extension at ground floor level would be a relatively modest addition to the host dwelling that would be in keeping with its overall character and appearance.
10. Nonetheless, for the above reasons, I conclude that the proposed terraced balcony would have an unacceptably harmful effect on the character and appearance of the surrounding area. As such, the proposal is contrary to Policies 6 and 37 of the Bromley Local Plan, referred to above. It is also in conflict with Policies 7.4 and 7.6 of The London Plan, which concern the design quality of development and its effect on local character. These policies are consistent with the National Planning Policy Framework, particularly section twelve concerning good design. There is, however, no harm with regard to the ground floor rear extension, as found above.

Conclusion

11. As the ground floor rear extension is independent of and physically separate from the terraced balcony, it is possible in this case to make a split decision with regard to the different elements of the overall proposal. Therefore, for the

above reasons, the appeal succeeds in respect of the ground floor rear extension, but fails in respect of the rear first floor terraced balcony.

Conditions

12. Of the Council's suggested conditions I have imposed the standard time condition and, to ensure the proper implementation of the approved element, one requiring development to be carried out in accordance with the relevant parts of the approved plan. 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 plan, is needed in the interests of the appearance of the host dwelling.

J Bell-Williamson

INSPECTOR