



Appeal Decision

Site visit made on 23 October 2020

by Chris Couper BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 02/11/2020

Appeal Ref: APP/G5180/D/20/3253953

42 Crofton Lane, Orpington BR5 1HL

- 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 Mrs Shilpi Batura against the decision of the Council of the London Borough of Bromley.
 - The application Ref DC/20/00816/FULL6, dated 27 February 2020, was refused by notice dated 14 May 2020.
 - The development proposed is a first floor side extension.
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Decision

1. The appeal is allowed and planning permission is granted for a first floor side extension at 42 Crofton Lane, Orpington BR5 1HL in accordance with the terms of the application, Ref DC/20/00816/FULL6, dated 27 February 2020, subject to the following conditions:
 - 1) The development hereby permitted shall begin not 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: location plan at 1:1250 scale, and drawing nos 01A, 02A, 03A, 04A, 05A, 06A and 07A.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those in the existing building.

Main Issue

2. The main issue is the effect of the development on the character and appearance of the host property and the area.

Reasons

Character and appearance

3. The dwellings along this stretch of Crofton Lane, particularly on its eastern side, are generally set well back from the highway on spacious plots. As a result of trees and landscaping in their front gardens, many are partially hidden from the road. They are often individually designed and substantial in scale.
4. Many of the dwellings occupy much of their plot width. Additionally, whilst the two storey dwellings opposite the site at 53a and 55 Crofton Lane are set in slightly from their side boundary, the above ground floor level gap between the dwellings in Crofton Lane and in the wider area, varies and is sometimes small.

5. The host dwelling is set well back from Crofton Lane behind a landscaped front garden. The proposed first floor extension would be recessed behind its garage canopy, and it would reflect the host property's general form, fenestration and facing materials.
6. Given the landscaping in the front garden of this property and others nearby, the proposal would not be prominent in the streetscene. Whilst its flank wall would abut the edge of the plot, its hipped roof would be set down from the host and would slope away from the boundary.
7. Given its set back from the road, its roof form, and the side access at 40 Crofton Lane ('No 40'), the scheme would maintain a sense of spaciousness, and it would maintain a visual gap between the host and its neighbour, particularly at roof level.
8. Policy 8 of the Bromley Local Plan 2019 ('BLP') states that proposals which are two or more storeys high should 'normally' be a minimum of 1 metre from the side boundary. Whilst this scheme would not provide such a gap, for the above reasons it would not conflict with that policy's stance of preventing a cramped appearance and maintaining high spatial standards.
9. As it would be to a high design standard, and would complement adjacent buildings and the area, the scheme would not conflict with those requirements of BLP Policy 37, nor with the broadly similar approach in the London Plan 2016, and in the National Planning Policy Framework.
10. For the above reasons, any conflict with the development plan would be very modest, and I conclude that the scheme would not harm the character and appearance of the host property or the area.

Other matters

11. The outlook from the proposed first floor bedroom window would be predominantly down the host property's rear garden. Whilst there would be angled views across No 40's garden, such views are not unusual in residential areas. Having considered the scheme before me on its merits, it would not impact the neighbouring occupiers' living conditions to a harmful degree.

Conditions and Conclusion

12. I have found that any conflict with the development plan would be very modest and that the scheme would not harm the character and appearance of the host property or the area. The appeal will therefore be allowed.
13. Turning to the matter of conditions, I have imposed the standard time limit condition and, in the interests of certainty, a condition requiring that the development be carried out in accordance with the approved plans. In the interests of the character and appearance of the host property and the area, a condition requiring matching materials is also necessary.
14. For the above reasons, and having regard to all other matters raised, the appeal is allowed.

Chris Couper

INSPECTOR