
Appeal Decision

Site visit made on 20 October 2020

by C Coyne BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 November 2020

Appeal Ref: APP/G5180/D/20/3246301

10 Kedleston Drive, Orpington BR5 2DR

- 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 Michael Wright against the decision of the Council of the London Borough of Bromley.
 - The application Ref DC/19/03807/FULL6, dated 5 September 2019, was refused by notice dated 15 November 2019.
 - The development proposed is first-floor rear and single side extension.
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Decision

1. The appeal is allowed and planning permission is granted for first-floor rear and single side extension at 10 Kedleston Drive, Orpington BR5 2DR in accordance with the terms of the application Ref DC/19/03807/FULL6, dated 5 September 2019, and the plans submitted with it, 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: Site Location Map Drawing No. 19-21-BROM Rev. SLM1; Ground Floor Side Extension & Part First Floor Rear Extension Including Internal Alterations Drawing No. 19-21-BROM Rev. S1 09.
 - 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.

Main Issue

2. The main issue is the effect of the proposed development on the living conditions of the occupiers of no. 8 Kedleston Drive having particular regard to matters of outlook.

Reasons

3. The appeal property is a two storey detached dwelling with an existing single storey extension and garage to the rear. The adjacent neighbouring property no. 8 is similar to the appeal property, also having a single storey extension and garage to the rear. Both properties also have large rear gardens. The surrounding area is predominately residential with the majority of properties on this part of Kedleston Drive comprising detached dwellings with large back gardens. Some of these properties also have first-floor rear extensions.

4. The first-floor window on the rear elevation of no. 8 is not located at the edge of the property closest to the shared boundary with no. 10 meaning that it is more centrally located on the rear elevation than the other rear window closest to the shared boundary with no. 6. Consequently, even though the gap between the properties would be approximately 1 metre, given the design of the proposal, its scale and the presence of the rear extension to no. 8, I consider that it would not lead to an unacceptable loss of outlook from this window.
5. Furthermore, from the evidence before me there would also appear be a clear line of sight from the middle of the rear first floor window of no. 8 to an angle of approximately 45 degrees which also indicates that there would not be a significant loss of outlook to the occupiers of that room.
6. I therefore conclude that the proposed development would not materially harm the living conditions of the occupiers of no. 8 Kedleston Drive having particular regard to matters of outlook. Consequently, it would accord with Policy 37 of the adopted Council of the London Borough of Bromley Local Plan 2019 which aims to ensure that new development proposals are of a high standard of design and respect the amenity of occupiers, amongst other considerations.

Conditions

7. In addition to the standard implementation condition, I have imposed a necessary condition to define the plans with which the scheme should accord in the interest of precision. I have also imposed a condition requiring the use of matching materials in the interests of the character and appearance of the area.

Conclusion

8. For the reasons given above I conclude that the appeal should be allowed.

C Coyne

INSPECTOR