



Appeal Decision

Site Visit made on 10 November 2020

by Rachael Pipkin BA (Hons) MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20th November 2020

Appeal Ref: APP/G5180/D/20/3259473

14A Branchley Close, Bromley BR2 9DR

- 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 Paige Clarke against the decision of London Borough of Bromley.
 - The application Ref DC/20/02283/FULL6, dated 23 June 2020, was refused by notice dated 25 August 2020.
 - The development proposed is first floor rear extension.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development on the living conditions of the occupants of 14 Branchley Close, with regard to visual impact and the potential to appear overbearing.

Reasons

3. Number 14A Branchley Close (No 14A) is a three-storey end of terrace property with an existing single-storey rear extension. The adjoining property, Number 14 Branchley Close (No 14), is a similar design with a single-storey extension. The garden to No 14 is small in size. It extends behind No 14A directly adjacent to the rear wall of No 14A's single-storey extension which forms the garden boundary.
4. The proposed extension, whilst modest in size, would be positioned above the existing single-storey extension which is located hard up against the garden of No 14. Due to the limited depth of the garden to No 14, the height of the proposed extension, even though set in from the boundary, would make it appear visually dominant and intrusive when viewed from the garden. This would be both overbearing and oppressive to these occupants.
5. The appellant has referred me to a number of other two-storey extensions in the locality, including to properties of a similar design to the appeal site. However, I do not have the full details of these schemes but from the submitted information these do not appear to have the same relationship in forming the boundary to neighbouring property's gardens. They are not therefore directly comparable with the scheme before me.
6. I accept that the proposed development would not affect the light, privacy or outlook from No 14. It would also not overlook or overshadow the rear garden. However, these are neutral factors and do not overcome the harm I have identified.

7. I conclude that the proposed development would be overbearing and would adversely affect the living conditions of the occupants of 14 Brenchley Close through its visual impact. It would therefore conflict with Policies 6 and 37 of the Bromley Local Plan 2019 which require a high standard of design that respects the amenity of occupiers of neighbouring buildings and be compatible with development in the surrounding area.

Other Matters

8. I recognise that the appellant requires additional space for her growing family. However, I am mindful of the advice contained in the Planning Practice Guidance that in general planning is concerned with land use in the public interest. The development brings about a permanent alteration to the building, whereas it is likely that the appellant's family's needs will change over the longer term.
9. The adjoining neighbour has indicated his support for the development. I have had regard to these comments but it does not alter my findings set out above.
10. The appellant has raised a concern that the Council did not communicate or seek amendments to the scheme during the application process. I appreciate that this must be frustrating for the appellant, however, this is a procedural matter and does not affect the merits of the case.

Conclusion

11. For the reasons set out above, I conclude the appeal should be dismissed.

Rachael Pipkin

INSPECTOR