The Planning Inspectorate

Appeal Decision

Site visit made on 9 November 2020

by T J Burnham BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20th November 2020

Appeal Ref: APP/G5180/D/20/3254080
The Chestnuts, Scotts Avenue, Bromley BR2 0LQ

- 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 Jem Bahaijoub against the decision of the Council of the London Borough of Bromley.
- The application Ref DC/20/01265/FULL6, dated 31 March 2020, was refused by notice dated 27 May 2020.
- The development proposed is extension to front and east side at ground and first floors, extensions to west side and rear at first floor.

Decision

1. The appeal is allowed. Planning permission is granted for extension to front and east side at ground and first floors, extensions to west side and rear at first floor at The Chestnuts, Scotts Avenue, Bromley BR2 0LQ in accordance with the terms of the application DC/20/01265/FULL6, dated 31 March 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) 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.

    3) The development hereby permitted shall be carried out in accordance with the following approved plans: 19-41-01, 19-41-02 A, 19-41-03, 19-41-04, 19-41-05 & 19-41-06.

Procedural Matter

2. The description of the proposal has been altered from the application form to the decision notice. However, the original description adequately describes the proposal and I have determined the appeal on this basis. I note that extension to the hardstanding and a new vehicular crossover is included within the proposals.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

4. The Chestnuts is a modest detached dwelling which is set back within well sized grounds on the residential Scotts Avenue. Properties on the street vary

considerably in their scale and design. The neighbouring property to the west at 24 Scotts Avenue is particularly large and imposing.

5. Whilst the extensions to the dwelling would provide a substantial increase to the floor area, this would largely be at first floor level as they would generally follow on from the existing ground floor footprint.

6. The well sized front garden and large rear garden would remain. The resultant dwelling would therefore remain very much in proportion with the plot and would not represent overdevelopment of the site.

7. Policy 8 of the Bromley Local Plan (2019) (BLP) states that in relation to extensions the Council will normally require a minimum space of 1 metre (m) from the side boundary of the site for the full height and length of the building.

8. However, by reason of its use of the word 'normally' Policy 8 acknowledges that there will be occasions, as in this case, where the requirement for a 1m space is not warranted. In relation to this particular scheme, the first floor by reason of its shallow pitched roof rising from the western extent of the extension would prevent this part of the proposal from having the cramped appearance that this policy seeks to avoid. Further, the extended western side would not be within 1m of the boundary for its full length and the impact of this part of the proposals would further be reduced by the angle at which the property is set and the significant set back from Scotts Avenue.

9. The extension proposed on the eastern side would be separated from the boundary to a similar extent as the neighbouring 18 Scotts Avenue is from the boundary, thereby respecting existing spatial standards. While the extension would have a greater ridge height than this property, given the relationship between the existing properties within the street, such a difference would not be uncommon.

10. For the reasons above, the proposals, when considered as a whole, would not harm the character and appearance of the area. They would therefore comply with Policies 6 and 8 of the BLP which, amongst other things require that space or gaps between buildings should be respected or maintained where these contribute to the character of the area. They would also comply with Policy 37 of the BLP which seeks a high standard of overall design.

Conditions

11. Planning permission is granted subject to the standard three-year time limit. Matching materials are required in the interests of the character and appearance of the area. It is necessary that the development be carried out in accordance with the approved plans for the avoidance of doubt and in the interests of certainty.

Conclusion

12. For the reasons set out above, I conclude that the appeal should be allowed subject to the conditions.

T J Burnham

INSPECTOR