
Appeal Decision

Site visit made on 11 November 2020

by Gary Deane BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 November 2020.

Appeal Ref: APP/G5180/D/20/3253745

49 Friar Road, Orpington BR5 2BW

- 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 J Taylor against the decision of the Council of the London Borough of Bromley.
 - The application Ref DC/20/00971/FULL6, dated 9 March 2020, was refused by notice dated 6 May 2020.
 - The development proposed is the demolition of existing detached garage and erection of two storey side and single story rear extensions and front elevation canopy roof to ground floor.
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Decision

1. The appeal is dismissed.

Procedural matter

2. The description of development in the above heading is taken from the application form. Part E of the planning appeal form, which was completed by the appellant, indicates that the description of development has not changed but a different wording has been entered. The description on the planning appeal form refers to the proposal as the demolition of the existing garage and construction of a part one and two storey side and rear extension with a new front entrance and a front canopy roof extension. From my inspection of the drawings, this revised description more accurately reflects the development sought. I have assessed the proposal on that basis.

Main issues

3. The main issues are the effect of the proposed development firstly, on the living conditions of the occupiers of 47 Friar Road with particular regard to outlook, light, visual impact and sense of enclosure; and secondly, on the character and appearance of the local area.

Reasons

Living conditions

4. The proposed development includes a 2-storey side extension along the depth of the 2-storey main house, which is a semi-detached dwelling within a mainly residential area. The flank wall of the new 2-storey addition would be close to and parallel with the side boundary of the site. In this position, it would face towards the side of 47 Friar Road, which is a single storey dwelling that stands

side-by-side with No 49. The new 2-storey sidewall facing the side of No 47 would extend along a major part of the existing flank wall to this bungalow. It would also project well above the post and timber fence, which currently marks the common boundary between these properties.

5. In the side elevation of No 47 there is an entrance door and a window from which views of the new 2-storey sidewall would be direct and at close range with the net curtain drawn to one side. That the finished building would occupy an elevated position relative to No 47 due to the notable difference in ground levels would accentuate its visual impact when seen from this adjacent property. Having viewed the side of No 47 from the site, I have little doubt that the new 2-storey sidewall, due to its length, height and close proximity to the common boundary with the site, would unacceptably dominate the outlook from the side window of No 47 whether or not it is regarded a primary or secondary opening.
6. There would also be some loss of sunlight to the side of No 47 in the later part of the day due to the overshadowing effect of the appeal dwelling with the new built form in place. While the additional overshadowing would be modest given the presence of the existing boundary fence, garage and house, it would still accentuate the overly imposing presence of the new 2-storey sidewall, causing it to overbear on the occupiers of No 47, especially when seen from their side window. In addition, the new flank wall would have the effect of further enclosing the space within the narrow corridor along the side of No 47. This arrangement would unduly heighten a sense of enclosure for the occupiers of No 47, which would be unneighbourly.
7. The appellant has drawn my attention to the close relationship between the side elevations of 60 and 62 Friar Road located broadly opposite the site, which I saw at the site visit. According to the appellant, the combined separation distance between these neighbouring properties is only 1.95 metres and neither achieves the minimum distance of 1 metre to their respective side boundary required by the BLP. Few background details of the planning history to these properties have been provided and so I cannot be certain that the circumstances are the same or very similar to those before me. In any event, it seems to me that additional harm cannot be justified simply because some harm may already exist.

Character and appearance

8. The new 2-storey side extension would follow the main building and rooflines of the main house at the front and use external materials to match those of the existing building. According to the Council, the distance between the new 2-storey flank wall and the site's side boundary would fall short of the minimum 1-metre space required by Policy 8 of the Bromley Local Plan (BLP). The supporting text to this policy explains that the gap is intended to ensure that such development protects the high spatial standards and visual amenity that characterise many residential areas.
9. By elongating the front elevation of No 49, the proposal would noticeably add to the scale and mass of the host building that in turn would increase its prominence in the local street scene. It would appear to loom over No 47 given the lower profile of this adjacent property. It would also disrupt the balance between the appeal dwelling and its attached counterpart as a pair, that are broadly similar in built form. That the new front canopy would stretch

across the front elevation of No 49 would exacerbate the sense of imbalance when seen from the road because it would emphasise the increased width of the completed dwelling. The awkward relationship between No 49 and the attached dwelling would draw the eye from Friar Road on the immediate approach to the site in both directions. As such, the proposal would be obtrusive and introduce an unwelcome addition to the local area.

Conclusion on the main issues

10. On the main issues, I conclude that the proposed development would cause significant harm to the living conditions of the occupiers of No 47 and have an adverse effect on the character and appearance of the local area. Accordingly, it is contrary to BLP Policies 6, 8 and 37 and the Council's Supplementary Planning Guidance No 2, *Residential Design Guidance*. These policies and guidance aim to ensure that residential extensions achieve a high standard of design, respect or maintain the space or gap between buildings where these contribute to the character of the area and safeguard residential amenity.

Other matters

11. Once complete, the proposal would provide additional living accommodation, which the appellant says, is much needed for his growing family. While I am sympathetic to these personal circumstances, there is nothing before me to indicate that these needs could only be met in the manner proposed.
12. The appellant notes that the Council failed to undertake a site visit before reaching a decision although the timing of that event may well have coincided with the restrictions on movement imposed by government due to the pandemic. Had the Council carried out a more detailed desk top inspection or requested photographs of Nos 60 and 62, the appellant feels that the outcome would have been advantageous to him. However, the Officer's report provides a comprehensive account of the proposal and puts forward detailed objections to the scheme that to my mind stand up well to close scrutiny. Having viewed the site and its immediate surroundings, I share those concerns.

Conclusion

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

Gary Deane

INSPECTOR