



Appeal Decision

Site visit made on 26 January 2021

by Mr Kim Bennett BSc DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 08 February 2021

Appeal Ref: APP/G5180/W/20/3259680

11 St. Kilda Road, Orpington BR6 0ES

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Mrs S Chatters against the Council of the London Borough of Bromley.
 - The application Ref 20/01967/FULL6, is dated 2 June 2020.
 - The development proposed is demolition of existing side extensions and garage for construction of single storey side extension.
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Decision

1. The appeal is allowed and planning permission is granted for the demolition of existing side extensions and garage for construction of single storey side extension at 11 St. Kilda Road, Orpington BR6 0ES in accordance with the terms of the application, Ref 20/01967/FULL6, dated 2 June 2020, 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: PL01A and PL02C.
 - 3) The materials to be used for the external surfaces of the building shall be as set out in the planning application form.
 - 4) Before first occupation of the development hereby permitted, the parking spaces shown on drawing no PL02C shall be completed in accordance with the details as set out in this planning permission and thereafter shall be kept available for such use and no permitted development whether permitted by the Town and Country Planning (General Permitted Development) Order (England) 2015 (or any Order amending, revoking and re-enacting this Order) or not shall be carried out on that area of land.
 - 5) No loose materials shall be used for surfacing of the parking area hereby permitted.
 - 6) Prior to the commencement of above ground works details of the drainage system for surface water drainage to prevent the discharge of surface water from private land on to the highway shall be submitted to and approved in writing by the Local Planning Authority. The approved

details shall be completed before the development is first occupied and shall be retained permanently thereafter.

Main Issue

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

Reasons

3. The appeal property comprises a two storey detached house located on the southern side of St. Kilda Road at its junction with Broxbourne Road. It has a garage attached to its western side with direct access on to St. Kilda Road which is unmade at this point. Beyond the garage is a conservatory. The property is enclosed by a hedge to Broxbourne Road.
4. The proposal involves a replacement of the garage and conservatory with a single storey extension which would vary in width slightly but would occupy almost the same footprint area that the garage and conservatory presently does. It would have a rendered finish with a small pitched roof surrounding a flat roof. A revised plan shows that two parking spaces would be provided on the northern side of the property in a similar position to where parking is currently provided in front of the garage.
5. The Council failed to determine the application within the prescribed period and the appellant exercised her right to lodge an appeal against the non-determination. However, since that time the Council has prepared an officer report which demonstrates that had it be in a position to determine the application it would have raised no objections and granted permission. In particular, the Council considers that the proposed extension would complement the host property and would not appear out of character with surrounding development in the area. Given the provision of the two parking spaces, it raises no objections from a highways point of view, whilst in amenity terms, and given the siting and separation from adjoining properties it considers there would be no adverse impact arising.
6. Having considered all the above matters at my site visit, I see no reason to disagree with the Council's later assessment and find that the development would not have an adverse impact upon the character and appearance of the area. There would therefore be no conflict with Policies 6, 30 or 37 of the Council's Local Plan 2019 in that the design would respect and complement the host dwelling and surrounding area, the development would accord with parking standards, and there would be no loss to residential amenity.
7. Conditions requiring the development to be built in accordance with the approved plans and for materials to be as set out in the application, are necessary in the interests of certainty and visual amenity. Conditions to require the parking spaces to be provided in a hard surfaced form and for details of surface water to be submitted, are necessary to ensure satisfactory off street parking provision and to ensure no surface water or other material discharges on to the highway. Subject to these conditions the appeal is allowed and planning permission granted.

Kim Bennett INSPECTOR