



Appeal Decision

Site Visit made on 12 October 2021 by Max Webb

Decision by K Taylor BSc (Hons) PGDip MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20 October 2021

Appeal Ref: APP/G5180/D/21/3277238

48 Park Avenue, Bromley BR1 4EE

- 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 Kanapathippillai Iynharran against the decision of the Council of the London Borough of Bromley.
 - The application Ref DC/20/05233/FULL6, dated 16 December 2020, was refused by notice dated 6 April 2021.
 - The development proposed is two storey side extension, two storey rear extension, internal revision to layout, two storey front bay and porch.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Procedural Matter

3. On 20 July 2021 the Government published a revised version of the National Planning Policy Framework (the Framework). I have had regard to this as a material consideration however, planning decisions must still be made in accordance with the development plan unless material considerations indicate otherwise. The issues most relevant to this appeal remain unaffected by the revisions to the Framework. I am therefore satisfied that there is no requirement to seek further submissions on the revised Framework, and that no party would be disadvantaged by such a course of action.

Main Issue

4. The main issues in this appeal are the effect of the proposed development on:
 - the character and appearance of the host dwelling and the surrounding area; and
 - the living conditions of the occupiers of 46 and 50 Park Avenue, with particular regard to loss of light, outlook and whether it would be overbearing.

Reasons for the Recommendation

Character and Appearance

5. The appeal dwelling is a detached property located on a street with properties sited in relatively spacious plots, generally with gaps between the dwellings,

particularly at first floor level. The appeal property has a gable feature on the front elevation, which is a characteristic of properties on this side of the street, one that helps bring the appearance of these properties together despite differences in size and form.

6. The proposal would replace the existing garage with a two-storey extension to the side and would significantly increase the size of the property. Whilst the overall scale of the property would appear somewhat consistent with the prevailing pattern of development, the proposal would significantly reduce the gap that separates it from the neighbouring property. This would disrupt the spacious character of the street. Although the existing garage is close to the boundary, this is a single storey development whereas the proposal would be two storeys. It would therefore make the property appear overly large for the plot as it would not respect the gap to the neighbouring property on this side.
7. The proposal would replace the existing front gable feature with a two-storey bay style window. The introduction of this new feature would not complement the host dwelling. It would also disrupt the consistency between the appeal dwelling and other properties on this side of the street, thus appearing out of character and harming the street scene.
8. Whilst the development would use some architectural details and external materials that reflect both the host dwelling and the surrounding area, this would not reduce the harm from the size of the proposal and replacement of the gable feature to an acceptable level.
9. Overall, the proposal would cause harm to the character and appearance of the host dwelling and the surrounding area. It would thus conflict with Policies 6 and 37 of the Bromley Local Development Framework Local Plan (2019), which together seek to encourage extensions that complement scale and form of the host dwelling, surrounding buildings, respect the space between buildings and positively contribute to the street scene.

Living Conditions

10. Despite the existing garage being situated in close proximity to the boundary with 46 Park Avenue at ground floor level, there is a significant gap at first floor level. The existing rear building line with No.46 is relatively consistent. The appeal dwelling is also close to the boundary with 50 Park Avenue, however this property projects slightly further to the rear than the appeal dwelling.
11. The proposal would replace the existing single storey garage with a two-storey extension, projecting beyond the existing rear building line. No.46 has a bay style window as the primary source of light for a kitchen area close to the boundary with the appeal site. The height of the two-storey element of the proposal and its proximity to the boundary with No.46 means the proposal would cause a distinct loss of light to the bay style window, effecting the outlook and appearing overbearing.
12. No.46 has a number of windows serving first floor rooms on the rear elevation of the property. The size of the proposed extension combined with the fact it projects beyond the existing building line with No.46 means these windows, although south facing, would experience a loss of light, outlook, and the

proposal would appear overbearing, particularly to the window closest to the boundary.

13. The proposal would also bring a two-storey element close to the boundary with No.50. This property likewise has south facing windows which, due to the fact No.50 projects slightly further to the rear, would prevent a harmful loss of light and there would not be a significant loss of outlook from the windows in this dwelling. However, No.50 has a patio area to the rear, directly adjacent to the boundary with the appeal dwelling. This patio is slightly lower than the appeal dwelling, and therefore the two-storey element of the proposal would appear particularly overbearing to this area.
14. Consequently, the development would cause harm to the living conditions of the occupiers of both No.46 and No.50. It would therefore conflict with Policy 37 of the Bromley Local Development Framework Local Plan (2019), which aims to ensure development allows adequate light to neighbouring buildings and protects residential amenity.

Conclusion and Recommendation

15. For the reasons given above and having had regard to the Development Plan as a whole, I recommend that the appeal should be dismissed.

Max Webb

APPEAL PLANNING OFFICER

Inspector's Decision

16. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

K Taylor

INSPECTOR