



Appeal Decision

Site Visit made on 16 November 2021

by A Price BSc MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 01 December 2021

Appeal Ref: APP/G5180/D/20/3264150

18 Turnpike Drive, Orpington BR6 7SJ

- 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 Samuel Moore against the decision of the Council of the London Borough of Bromley.
 - The application Ref DC/20/03285/FULL6, dated 10 August 2020, was refused by notice dated 23 November 2020.
 - The development proposed is described on the application form as 'single storey rear extension, hip to gable roof alteration, dormer window to rear roof slope'.
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Decision

1. The appeal is allowed and planning permission is granted for a single storey rear extension, hip to gable roof alteration and dormer window to rear roof slope at 18 Turnpike Drive BR6 7SJ in accordance with the terms of the application, Ref DC/20/03285/FULL6, dated 10 August 2020, subject to the conditions appended to this decision.

Preliminary Matters

2. The Council does not object to the hip-to-gable roof alteration or the rear dormer extension, and from my site visit those elements of the proposal would assimilate to an acceptable standard with the surrounding area (where roof alterations and dormer extensions of varying types are a characteristic feature).
3. The Council has previously granted planning permission on the site for an alternative proposal, which includes a rear extension, under Ref DC/20/02575/FULL6. I have been provided with the details of this case, including approximate measurements of the approved extension and its features. This permission is extant.
4. The details set out within the officer's report make clear that the most significant difference between the two cases is that the approved extension is set back from the boundary of No 17 by around 3 metres whereas the appeal proposal would have no meaningful setback (around 0.3 metres). In addition, a pitched roof is proposed in the approved extension whereas a flat roof is proposed in the appeal case. Finally, the proposed raised patio area would be higher in the appeal case when compared to the extant permission.
5. At the time of my site visit, some construction work was underway. Regardless of what has been constructed to date, my assessment is based on the plans before me.

Main Issues

6. The main issues are:

- i. the effect of the proposed development on the character and appearance of the surrounding area; and
- ii. the effect of the proposed development on the living conditions of neighbouring occupiers, with particular regard to outlook.

Reasons

Character and appearance

7. The appeal property sits within a relatively large corner plot at the end of Turnpike Drive, forming one of a pair of semi-detached properties with adjacent No 17 Turnpike Drive.
8. I accept that the proposed extension would be fairly substantial in size. However, the extension would largely be confined to the rear of the existing property and, where at the side, set back from the front elevation. As such, the proposal would generally be out of sight from public vantage points. From that perspective the scheme would have little appreciable effect on the street scene and would be consistent visually with other side garages and extensions in the surroundings.
9. I note that some views of the rear of the property, and extensions, could be obtained from neighbouring properties and certain parts of the playing field to the rear of the site. However, these would be seen within the context of other built form in the vicinity and the appeal property itself. From those vantage points the proposal would not appear incongruous.
10. The extant planning permission at the site is of a scale and design not dissimilar from the proposal before me. Any differences between the two are minor and likely only to be readily appreciable within the garden of the property itself. Their effects on character and appearance would be similar. I am not persuaded by the Council's position that a flat roof would be any more harmful relative to the permitted pitched roof arrangement. Nor, in my view, would the infilling of the 3 metre gap adjacent to No 17 or the increase in height of the patio area be significant.
11. Consequently, I find that the proposal would be acceptable and would accord with the relevant provisions of policies 6 and 37 of Bromley Local Plan (adopted 2019), which in summary seek to ensure that development proposals are of a scale, form and materials that respect the host dwelling and are compatible with development in the surrounding area.

Living conditions

12. The proposed rear extension would be large. It would project well beyond the existing rear elevation of both the host property and the conservatory extension at adjoining No 17. During my site visit, I saw that the conservatory at No 17 runs along the full width of the property. Outlook from the rear elevation of the conservatory is therefore good, overlooking the fairly deep and well landscaped garden of No 17, and beyond.

13. Although the proposed extension at the appeal property would be visible, I do not consider that it would unacceptably change or harm the outlook from No 17. Natural outlook from the conservatory is down through the garden. The proposed extension would only be partially glimpsed when looking at an oblique angle, and then only partially above mature boundary features and landscaping (which are characteristic of the area). As the plot of No 17 is long and deep, the effect of the proposal near to its rear elevation would represent a fractional change with reference to a relatively expansive plot.
14. For similar reasons, particularly given the intervening boundary features and natural outlook, notwithstanding the raised patio level, I saw that there would be limited meaningful opportunity for a greater degree of overlooking. Planting and boundary features cannot be relied on in perpetuity to give the same level of screening as at present. Nevertheless, the established planting along the boundary of No 17 is typical of the area, and in my view it is unlikely that it will be substantially reduced or lessened over time.
15. Consequently, I conclude that the proposal would accord with the relevant provisions of policy 37 of the Bromley Local Plan (adopted 2019), which in summary seeks to ensure development proposals respect the amenity of occupiers of neighbouring buildings.

Conclusion

16. For the above reasons, having had regard to the development plan as a whole and all other relevant material considerations, I conclude that the appeal should be allowed subject to the conditions below.

Conditions

17. I have imposed a condition requiring compliance with the relevant plans together with a condition requiring that the external surfaces of the development match the existing building. These are imposed in the interests of certainty and to protect the character and appearance of the area.
18. Notwithstanding that some form of development is underway on site it is nonetheless reasonable to impose the commencement requirement, specified by legislation in respect of the development proposed.
19. In imposing conditions, I have had regard to the tests within the National Planning Policy Framework, the Planning Practice Guidance, and relevant statute, and have accordingly amended the wording of certain conditions proposed by the Council without altering their aim.

A Price

INSPECTOR

SCHEDULE OF 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: 2009/5 (dated August 2020); and 2009/6 (dated August 2020).
- 3) Aside from the GRP roof described in the application form, the external surfaces of the development hereby permitted shall match those used in the existing building.