



Appeal Decision

Site Visit made on 26 October 2021 by S Witherley CIHCM MRTPI

Decision by Chris Preston BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23rd December 2021

Appeal Ref: APP/G5180/D/21/3278574

2 Pine Avenue, West Wickham BR4 0LW

- 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 & Mrs G Montagu against the decision of Council of the London Borough of Bromley.
 - The application Ref DC/21/01944/FULL6, dated 16 April 2021, was refused by notice dated 14 June 2021.
 - The development proposed on the application form is: Side and rear 2 storey extension together with new porch.
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Decision

1. The appeal is allowed, and planning permission is granted for side and rear two storey extension together with new side porch and first floor front extension at 2 Pine Avenue, West Wickham, BR4 0LW in accordance with the terms of the application, Ref DC/21/01944/FULL6, dated 16 April 2021, 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: Existing and Proposed site layouts 2PA – 01 – PL02, Proposed GA plans 2PA-01 – PL04, Proposed elevations 2PA – 01-PL06.
 - 3) 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.

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.

Preliminary Matters

3. The description of the development given on the application form is set out in the banner heading above. However, in the formal decision above I have used the description given in the Council's decision notice as that adequately describes the development.

Main Issues

4. Whilst the two-storey side extension would result in the loss of some symmetry with the attached property at No. 4 the Council consider the design in this respect to be acceptable having regard to the number of similar alterations in the area. Having viewed the context, I see no reason to take a different view. The Council's main concern relates to the scale of the proposal, particularly the two-storey extension. Therefore, the main issues of this appeal relate to the rear extension and the effect on:
 - 1) The character and appearance of the appeal property and that of the surrounding area, and;
 - 2) The living conditions of neighbouring occupiers by way of outlook.

Reasons for the Recommendation

Character and Appearance

5. No. 2 is a two-storey semi-detached property located in an established residential area and sits adjacent to and backs onto to the Blake Recreation Ground, a large open and green amenity area.
6. The surrounding residential area is defined by large two storey semi-detached and detached properties. A large number of these dwellings appear in this part of Pine Avenue to have been modified at the sides and at roof level. This has resulted in a large number of dwellings with different designs, scales and forms. Despite these variations, there are similarities in the use of materials, regular building lines and spacious front gardens which are typically set back from tree lined pavements. It is this combination which makes a positive contribution to the character and appearance of the area.
7. No. 2 features a hipped roof with a lower secondary pitched roof to the side that has a ridge perpendicular to the main roof and which terminates in a gable to the side elevation of the house. The design, scale and form of the proposed ground and first floor rear extensions would create a much larger property and in isolation this might appear excessive. However, given the existing proportions of the property, along with the size of the rear garden, its overall plot size, the proposal would not, as a result of its design, depth and form appear overly large or out of proportion to the existing dwelling or its respective plot.
8. Furthermore, given the variety of house designs, types and forms as a result of the array of modifications that have taken place along Pine Avenue, the proposal would not appear out of character or appearance with the existing street scape. Whilst I appreciate the proposal would be highly visible from the public realm and from various viewpoints throughout the Blake Recreation Ground, it would not appear as an imposing or juxtaposed addition. From the recreation ground the extension would not appear out of scale against the backdrop of residential development and the footpath running past the side of the house is enclosed by trees and vegetation such that any views of the extension would be very localised with limited wider impact.
9. On this main issue I find that the rear extension would not harm the character and appearance of the appeal property or that of the surrounding area. It therefore complies with Policies 6 and 37 of the Bromley Local Plan (2019)

which together seek to ensure that development is of a high quality, is compatible with its surroundings and that its scale and form respects that of the appeal property and is compatible with development in the surrounding area.

Living Conditions

10. At ground floor the proposal would project out from the original rear elevation according to the officer's report by 5 metres. This would appear greater than the existing depth of the neighbouring ground floor extension. At first floor the proposal would be set away from the shared boundary by approximately 3.42 metres.
11. The appellant has submitted evidence that the first-floor element of the proposal would not encroach within 45 degrees of the middle of the first-floor windows of the neighbouring property and the Council have not disputed this. From what I saw on site, given the existing neighbouring extension, along with the separation distance at first floor, the orientation, the open aspect at the rear of these properties, the outlook from the neighbouring property, both internally and from the rear garden, would not be unreasonably affected by the scale and form of the proposed ground and first floor rear development. Nor would it, when viewed from these viewpoints, appear intrusive or lead to a loss of outlook.
12. Whilst the Council have not raised the issue of loss of light in their reason for refusal, the officer report states that the proposal would affect this. However, no evidence has been submitted which would substantiate this and from what I saw on site given the separation distance at first floor along with the orientation of the properties I am satisfied that the proposal would not have a harmful impact upon levels of light in the neighbouring dwelling.
13. For these reasons I find that the proposed development would not adversely impact on the living conditions of the neighbouring occupants with regards to outlook. The development therefore is in accordance with development plan Policy 37 of the Bromley Local Plan (2019) which aims seek to ensure new development is of good design, well related to its context and respectful of the amenity of occupiers of neighbouring buildings.

Conditions

14. In addition to the standard 3-year implementation condition, the approved plans condition is imposed for clarity. I have also imposed a condition to require materials to match those of the existing dwelling to protect visual amenity.

Conclusion

15. The proposal accords with the most relevant policies in an up-to-date development plan and there are no material considerations that indicate the decision should be made other than in accordance with the development plan. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be allowed.

S Witherley

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, I agree with the recommendation and shall allow the appeal.

Chris Preston

INSPECTOR