
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: 18 January 2022

Appeal Ref: APP/G5180/D/21/3278215

153 Crescent Drive, Petts Wood, Orpington BR5 1BA

- 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 Dalius Brazdzius against the decision of the Council of the London Borough of Bromley.
 - The application Ref DC/21/02220/FULL6, dated 4 May 2021, was refused by notice dated 29 June 2021.
 - The development proposed on the application from is: New Rear, Side ,and Loft extension to 153 Crescent Drive.
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Decision

1. The appeal is allowed, and planning permission is granted for One/two storey side and rear extension and loft conversion, at 153 Crescent Drive, Petts Wood, Orpington, BR5 1BA, in accordance with the terms of the application, Ref DC/21/02220/FULL6, dated 4 May 2021, subject to the following condition:
 - 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: Proposed Side, Rear & Loft Ext CD153/1/002.
 - 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 and succinctly describes the development.

Main Issue

4. The effect of the proposal on 1) the character and appearance of the appeal property and surrounding area and 2) living conditions of the occupiers of the appeal property and No. 155 Crescent Drive in way of light and outlook.

Reasons for the Recommendation

Character and Appearance

5. No. 153 is a two-storey semi-detached dwelling located in a residential area. The immediate area comprises dwellings of similar types and sizes with repeating variations in design.
 6. Design features include shared projecting front facing gables, as seen on No. 153 and the adjoining property, No. 155; subordinate side additions, which typically incorporate the front entrance, and which creates a sense of spaciousness between properties; regular building lines with properties set back from a tree lined footpath and hipped roofs which can be seen predominantly throughout the area.
 7. Whilst a number of the traditional hipped roofs within this part of the street have been modified, including that of the adjoining neighbour, the varied roof scape and different forms of these roof extensions adds to the overall pleasing character of the area.
 8. The proposal has a number of elements which would see No. 153 extend at the side, rear and roof level. To the rear the proposal seeks to replace an existing single storey conservatory with a deeper brick-built rear extension that would wrap around part of the side elevation. Above this would be a first-floor extension which would be stepped in from the adjoining property, No. 155, and again would wrap around the flank wall. This first floor side element would extend up to roof level to create a hip to gable end roof which would accommodate a rear facing box like dormer.
 9. The combined development would be of a similar style, form and matching materials of other extensions seen throughout the area, including the modifications at roof level of the adjoining neighbouring property. The overall design, scale and form of the proposal would be appropriate to the existing house and given the neighbouring development would not unbalance the appearance of this pair of semi-detached properties. The alterations would be set well back from the principal façade and the stepped roofline at the rear would break up the visual mass of the proposal and ensure it remained subservient to the scale of the original dwelling.
 10. Part of the ground floor wrap around element would replace the flat roof of the existing ground floor side addition with a pitched roof. Whilst the roof of this existing addition would be replaced, the proposal would not extend beyond its existing depth at ground floor level. Furthermore, the proposal along the flank wall at first floor would ensure that adequate separation would be retained between the side boundary of No. 153 and that of the neighbouring property No. 151.
 11. Whilst I appreciate that the proposal would not retain a 1 metre gap along the entire flank wall at ground floor level the element close to the boundary is set well back from the street such that it would have little wider visual impact. Given that and the existing close relationship between the neighbouring properties, I consider on balance that overall, the proposal as a result of its design and scale would prevent the area from appearing cramped and avoid a terracing effect, in line with the overall aims which Policy H8 of the LP seek to achieve.
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12. In conclusion on this main issue, the proposal would not harm the character and appearance of the appeal property nor the surrounding area. It would therefore accord with Policies 6, 8 and 37 of the LP which amongst other things seek to ensure the scale and form of development respects that of the host dwelling and would be compatible with development in the surrounding area including respecting space between buildings.

Living Conditions

13. The proposed first floor rear extension would, as confirmed by the Council and depicted on the drawings, be stepped in from the shared boundary by 1.3 metres, have a depth of 2.7 metres and a hipped roof. The Council note this would significantly reduce the light and outlook to the neighbouring first floor window that sits adjacent to the shared boundary.
14. Given the orientation of the properties, the modest projection of the first-floor proposal, its hipped roof and the generally open aspect afforded from the first-floor rear windows of No. 155 it is unlikely that the proposal would give rise to substantial harm by way of loss of light and outlook to the occupiers of No. 155.
15. Part of the proposal would see the existing first floor rear bedroom window of No. 153 reduce in size and the use of the room change to an office. Given the depth of the proposal the Council note that this would result in *a hugely detrimental impact* upon the light levels to this room. Again, whilst no evidence in this regard has been submitted, I agree that as a result of the reduced size in window naturally the light into the window would be reduced. However, I do not agree that the degree of light that would be lost would be of such an amount that would lead to significant harm to the existing or future occupiers of this room. Moreover, light levels would be commensurate with the way in which the appellants wish to utilise the room and the extension would increase space elsewhere in the home, including an extra bedroom, such that overall living conditions and flexibility of space within the home would be enhanced as a result of the proposal.
16. On this main issue I conclude that the proposal would not harm the living conditions of the occupiers of the appeal property nor occupiers of No. 155 Crescent Drive in way of light and outlook. The proposal thereby accords with Policy 37 of the LP which requires proposals to allow adequate daylight and sunlight to penetrate between buildings, and that living conditions of existing and future occupiers are not harmed by inadequate daylight, sunlight, loss of privacy or overshadowing.

Conditions

17. I have imposed the standard time limit condition and have specified the approved plans as this provides certainty. A condition is necessary for the materials to match those that are used in the existing property to maintain the character and appearance of the area.

Conclusion

18. There are no material considerations that indicate the application should be determined 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.
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S Witherley

APPEAL PLANNING OFFICER

Inspector's Decision

20. 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 subject to the conditions set out in the report.

Chris Preston

INSPECTOR
