



Appeal Decision

Site visit made on 2 March 2022

by R J Redford MTCP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 MARCH 2022

Appeal Ref: APP/G5180/D/21/3284192

50 Hilda Vale Road, Orpington, Kent BR6 7AW

- 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 Steven Laing against the decision of the London Borough of Bromley.
 - The application Ref 21/02670/FULL6, dated 19 May 2021, was refused by notice dated 25 August 2021.
 - The development proposed is a new porch and two storey side and single storey rear extensions.
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Decision

1. The appeal is allowed and planning permission is granted for a new porch and two storey side and single storey rear extensions at 50 Hilda Vale Road, Orpington, Kent BR6 7AW in accordance with the terms of the application, Ref 21/02670/FULL6, dated 19 May 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:
 - HHL/651-1 A
 - HHL/651-10 A
 - HHL/651-11 A
 - 3) The external surfaces of the development hereby permitted shall be constructed in the materials to match the external surfaces of the host dwelling.

Procedural Matter

2. The National Planning Policy Framework (the Framework) was revised in July 2021. Although this was prior to the Council taking its decision and the appeal being made, the main parties have referred to the previous iteration. However, the sections pertinent to this appeal have not materially altered and I will therefore reference the revised version in my decision.

Main Issue

3. The main issue in this appeal is the effect of the proposed development on the character and appearance of the surrounding area.

Reasons

4. Hilda Vale Road is a residential road within a wider suburban area. The houses along its length are varied in age, style, and design, and include detached and semi-detached properties. They are in the main two-storey and follow a similar building line, with properties set back behind parking areas or front gardens. The separation gap between properties varies along the length of the road and in general is narrower at ground floor than at upper floors. There are numerous of properties with single storey side extensions or garages. There are also examples of two-storey side extensions, full plot width extensions and a variety of rear extensions.
5. The appeal property is part of a semi-detached pair, both of which have been extended into the roof. This semi-detached pair is the last one of a group of 5 which are broadly similar in form and are unified by their gable roof and single storey projections to the front elevation. They are similarly spaced with various single storey side extensions. Until recently, the appeal property had a single storey lean-to and garage which projected sideways close to the shared boundary with 48 Hilda Vale Road. No 48 is a detached property different in form and design to the appeal property. It is set back a similar distance from the shared boundary as the appeal property and has a series of rear extensions in a mix of styles. One of these projects towards the shared boundary, wrapping around the rear corner of No 48 and has a pitched roof. The frontage of No 48 is enclosed by a wall and this extends to meet the side of the property separating the front and rear areas of the plot.
6. The proposal would provide a stepped two-storey side extension with side parapet running along the shared boundary with No 48. This two-storey element would link into a single storey front porch extension and wrap around the rear corner of the appeal property to link into a single storey rear extension.
7. Policy 8 of the London Borough of Bromley Local Plan (2019) (Local Plan) seeks to protect the space to the side of residential properties when they are extended. It specifically notes that this would normally be a minimum of 1m of space from the side boundary. Within the supporting text of the policy, it confirms that this retention of space is essential at first floor and above to ensure adequate separation.
8. From reviewing the plans, the proposal would retain the requisite space to the side boundary for the first floor of the proposed side extension. It is noted that Policy 8 specifically requires the space to be retained for the full length and height of the building. However, the proposal is replacing previous near full width elements of the host building, and single storey elements extending to or very close to side boundaries are commonplace along Hilda Vale Road. Due to the position of No 48 in relation to the shared boundary and the set back location of its rear/side extension, it is considered that adequate separation between the two properties would be maintained thereby retaining the character of the surrounding area.
9. The proposal would maintain the building line of the road and would not protrude into the frontage area more than the single storey forward projections of the 5 similar semi-detached pairs. The width of the proposed ground floor of the side extension would be similar to the previous garage and lean-to as well as the existing garage on the attached dwelling. The proposed rear extension

would not be uncharacteristic due to the mix of extensions to the rear elevations of the properties along the road. The proposed parapet wall would replicate the boundary walls surrounding No 48's frontage and the proposed stepped roof form of the side extension would replicate a feature found elsewhere along Hilda Vale Road. It is therefore considered that the proposed development would be in keeping with the mixed appearance of the surrounding area.

10. The appellant and Council have referred to several further policies from the Local Plan and London Plan (2021), the Framework and Supplementary Planning Guidance, in relation to good design. The appellant has also referred to 2 previous appeal decisions. These have all been taken into consideration.
11. The Council found that the proposal would not harm the living conditions of occupants of adjacent neighbours nor impact on the safety of the highway, and this is noted.
12. It is therefore concluded that the proposal would not harm the character and appearance of the surrounding area and would comply with Local Plan Policy 8, as set out above.

Conditions

13. In addition to securing commencement within the relevant statutory timeframe, I have also imposed conditions requiring adherence to the approved plans and that matching materials should be used to ensure the proposal integrates acceptably within the character and appearance of the area.

Conclusion

14. For the reasons given above, having considered the development plan as a whole along with all other relevant material considerations including the approach in the Framework, I conclude that the appeal should be allowed.

RJ Redford

INSPECTOR