



Appeal Decision

Site visit made on 18 February 2022

by Megan Thomas Q.C. Barrister-at-Law

an Inspector appointed by the Secretary of State for Levelling Up, Housing and Communities

Decision date: 4TH April 2022

Appeal Ref: APP/G5180/D/21/3282210

96 Sutherland Avenue, Biggin Hill, TN16 3HH

- 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 Jim Ellingham against the decision of the London Borough of Bromley.
 - The application Ref.21/01624/FULL6, dated 29 March 2021, was refused by notice dated 28 July 2021.
 - The development proposed is the construction of a new detached double garage.
-

Decision

1. The appeal is allowed and planning permission is granted for a new detached double garage at 96 Sutherland Avenue, Biggin Hill, TN16 3HH, in accordance with the terms of the application, Ref.21/01624/FULL6, dated 29 March 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 strict accordance with the following approved plans: Location Plan ref no. TQRQM2102013520525 dated 20 January 2021, G-001, G-002, G-003 & G-004.
 - 3) The materials to be used in the construction of the external surfaces of the garage hereby permitted shall match those used in the main dwelling.

Main Issue

2. The main issue in the appeal is the effect of the proposed garage on the character and appearance of the host dwelling and the streetscene.

Reasons

3. The appeal relates to a two storey detached dwelling and its curtilage, located on the south western side of Sutherland Avenue. Sutherland Avenue is an unmade road at this location. The area is residential. The main dwelling has been extended with a side extension at first floor level over the existing integrated garage and some of the elevations including the front-facing elevation have been rendered. The site adjoins Green Belt land to the west

- boundary to the rear of the site. A public footpath runs alongside the north west boundary of the site and behind the proposed garage.
4. Planning permission is sought for a double detached garage located at the front of the property. The proposed garage doors would not face the road but would be perpendicular to the front façade of the main dwelling. The proposed garage would have a width of about 8m (its front) and it would have a staggered rear elevation with a depth of about 5m to the side facing the dwelling and about 6.5m in depth to the road side. It would have a perimeter pitched roof with a height of about 3m and an eaves height of about 2.4m. It would stand back from the front boundary of the property by about 2.3m.
 5. Policies 6 and 37 of the Bromley Local Plan (January 2019) and the Council's Supplementary Planning Guidance seek to ensure that new development, including domestic garages are of a high quality design that respect the scale and form of the host dwelling and are compatible with surrounding development.
 6. The land slopes down from Sutherland Avenue to the dwelling. The front area has been landscaped with a curved vehicular access from the road passing in front of the dwelling, then providing access into the proposed garage. There is a curved retaining wall facilitating the change in level and a grassed area on top of the retaining wall in front of the house.
 7. The proposed garage would be set at a slightly lower level than street level, and owing to its partially pitched roof (which would not exceed about 3m in height from ground level with eaves at 2.4m) it would not appear unduly dominant from the street. Given that it would have similar external facing materials to the main dwelling my view is that it would harmonise with the main dwelling rather than appear incongruous or unduly bulky.
 8. Whilst there would be some modest overlap between the side elevation of the main dwelling and the garage, it would be possible to see most of the front elevation of the main dwelling when facing that elevation from the Avenue. Sufficient areas of greenery and openness would remain to the front area of the house to make it compatible and in harmony with the surrounding dwellings. The existing boundary treatment between the proposed garage and the public right of way would screen the majority of the rear of the garage and views from that path would not be materially altered.
 9. On my site visit I saw several dwellings along Sutherland Avenue with garages/outbuildings located in the front areas of their curtilages but not in the very immediate vicinity of no.96. However, for the reasons I have given, in this particular case, the proposed single storey garage would not harm the character or appearance of the host dwelling or the area.
 10. I conclude that the proposed garage would not harm the character or appearance of the host dwelling or the area. It would not conflict with policies 6 or 37 of the Bromley Local Plan (January 2019).

Conditions

11. I have considered the imposition of planning conditions in the light of advice in National Planning Practice Guidance. A condition which ties the built development to the approved plans is necessary for the avoidance of doubt and in the interests of certainty. In order to protect the character and appearance

of the host dwelling and its surroundings a condition requiring the proposal to match the existing materials of the dwelling is necessary.

12. Given the information provided on the submitted plans, it is not necessary to attach a condition setting down garage dimensions, and parking arrangements do not need to be specifically subject to a condition given the hard landscaping that has occurred at the front of the site.

Conclusion

13. Having taken into account all representations made, for the reasons given above, I allow the appeal and grant planning permission subject to conditions.

Megan Thomas Q.C.

INSPECTOR