



Appeal Decision

Site visit made on 16 August 2022 by Tom Bennett BA (Hons) MSc

Decision by Kenneth Stone BSc (Hons) Dip TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16th September 2022

Appeal Ref: APP/G5180/D/22/3295280

Beaumont, Westerham Road, Keston, BR2 6HE

- 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 Dr Nirmalan Puvi against the decision of the Council of the London Borough of Bromley.
 - The application Ref DC/21/05933/FULL6, dated 24 December 2021, was refused by notice dated 18 February 2022.
 - The development proposed is erection of first floor side extension.
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Decision

1. The appeal is dismissed.

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. In the interest of conciseness, the description of development used in the header above is based on that used on the Council's decision notice, which I note has been adopted by the appellant on their appeal form and which reflects the proposed act of development.

Main Issue

4. The main issue is the effect of the development on the character and appearance of the host dwelling and streetscene.

Reasons for the Recommendation

5. The appeal property is a two storey detached dwelling with a flat roofed single storey garage attached to the flank elevation of the property close to the boundary. The area is residential in character with properties set back from the road in spacious plots.
6. Although the dwellings differ in terms of their age, size and style, the prevailing roof form is pitched with flat roofs primarily visible on garages. In this part of the street, properties either have open space or a garage to the side and where two stories span the full width of plots, the roof form is one cohesive style.
7. The proposal would result in a flat roofed first floor extension on top of the existing garage, matching its dimensions. The officers report advises that the

proposed first floor flank elevation would be in breach of Policy 8 of the Bromley Local Plan 2019 (LP) which requires a minimum distance of 1 metre to the side boundary. Whilst I cannot be certain of the exact distance, from my site observations the garage was extremely close to the boundary with No 2 and 4 Beechwood Drive. Moreover, the block plan BJ/2021/20/6 submitted with the application also identifies a minimal space between the flank wall and the site's boundary. The increased prominence of introducing a first floor side extension, close to the boundary of the tall vegetation, would make the development appear cramped due to the limited separation distances that would be achieved. This would be at odds with the spacious character of surrounding properties.

8. I accept that there are site constraints due to the angled nature of the plot, however the introduction of the flat roof extension at first floor, sits awkwardly and does not integrate well against the existing pitched roof of the host dwelling. Furthermore, extensions of the proposed form at first floor level are not characteristic of the street scene and it would therefore draw attention to itself as an incongruous addition. Taking these points together, the development would be harmful to the character and appearance of both the host dwelling and streetscene.
9. I acknowledge the use of matching materials and alignment of fenestration; however, these factors do not overcome the harm identified.
10. The appellant has drawn my attention to other first floor side extensions that have been granted planning permission, the closest of which is 2 miles away. However, these schemes are not of the same form as the appeal proposal before me and I cannot be sure of the circumstances which lead to their approval. As such I attribute limited weight to the examples identified. In any case, I have determined the proposal before me on its individual merits.
11. For the reasons outlined above, the proposal would have a detrimental effect on the character and appearance of the host dwelling and streetscene. Whilst I cannot be sure it breaches the 1 metre distance to the boundary; it would still conflict with the overall aims of Policy 8 of the LP which seeks to avoid cramped development and maintain high spatial standards. It would also conflict with Policy 6 and 37 of the LP which, amongst other matters, seeks to ensure that development respects the scale and form of the host dwelling and is compatible with surrounding development. The proposal would also be contrary to Policy D4 of the London Plan (2021) which requires development to deliver good design.

Other matter

12. The appellant comments that the principle of development should weigh heavily in favour of the proposed development. However, the scheme would extend an existing property and does not provide additional units or affect the intensity of development on the site. This is an established residential area and the proposed development seeks to add to existing development, this should be appropriately considered in the context of the character and appearance of the area and the policy framework as I have done and I do not afford the significant weight to the principle of development in favour as suggested by the appellant for these reasons.

Conclusion and Recommendation

13. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

Tom Bennett

APPEAL PLANNING OFFICER

Inspector's Decision

14. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

Kenneth Stone

INSPECTOR