
Appeal Decision

Site visit made on 13 September 2022

by David English BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20 October 2022

Appeal Ref: APP/G5180/D/22/3293393

25 Seward Road, Beckenham, BR3 4NY

- 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 Will Clephane against the decision of the Council of the London Borough of Bromley.
 - The application Ref DC/21/04101/FULL6, dated 12 August 2021, was refused by notice dated 22 December 2021.
 - The development proposed is a first storey side extension.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

3. The appeal property is an extended end-terraced house on a corner plot in an established, compact and relatively fine-grained residential area comprising mainly terraced housing. Houses in the area characteristically have very short front gardens and present well-defined, generally consistent building lines which create a regular, simple and pleasing appearance to the streets.
4. The proposed development, if viewed from Seward Road, would appear as a modest first floor extension over the existing ground floor extension. However, the appeal property has a strong visual relationship with the adjoining street, Villiers Road, with its first-floor end wall being viewed as part of the regular building line in that street. The existing single storey extension at the appeal property, and the fence around its rear garden, present the only projections in an otherwise consistent building line along Villiers Road.
5. Policy 8 of the London Borough of Bromley Local Development Framework Local Plan (January 2019) ('the Local Plan') expects side extensions to be set back normally by at least 1 metre from the host property boundary, with more generous side space expected where higher standards of separation already exist. I note that the Council's evidence recognises this distinction in the application of Policy 8 in respect of higher standards having regard to the context of each case. It would be appropriate to apply the expectation of higher standards of separation in the context of this corner plot, having regard to the relationship that I have described between the appeal property and the adjoining street. The proposal would, when viewed in context, introduce a

bulky and incongruent feature projecting at first floor level beyond the building line of Villiers Road and this would be harmful to the appearance of that street.

6. The appellant has drawn my attention to several examples of two-storey end walls to houses directly abutting the highway. I noted during my site visit that those examples were generally significantly different to the appeal proposal in respect of their relationship with surrounding streets. Most appear as pairs of end-terraces, which is different to the context of the appeal proposal, and they do not have the effect of projecting into an otherwise consistent building line within a street in the way the appeal proposal would. I can find few similarities between the examples provided and the current proposal before me and so these have little bearing on my decision. In any event, I have determined the appeal on its merits and the evidence before me.
7. Some elements of the proposal benefit from extant permissions or exemption from enforcement through certificates of lawfulness. The appellant contends that the overall effect of the proposals before me would not be materially different to those that could be implemented. However, the first-floor proposed extension is significantly different to those elements that could be built now, by virtue of its size and prominence within Villiers Road, and it would cause harm for the reasons I have set out.
8. The size and position of the proposal would harm the distinctive qualities of Villiers Road, and this would be harmful to the character and appearance of the area. The proposal would therefore conflict with Policy 8 of the Local Plan in respect of expectations regarding separation distances between side extensions and their host property's boundary. It would also conflict with Policies 6 and 37 of the Local Plan which require proposals to be compatible with surrounding development, to complement the scale, form, proportion and layout of adjacent buildings and areas, and to make a positive contribution to the existing street scene through high quality design. In addition, the proposal would conflict with the National Planning Policy Framework which also seeks these outcomes.

Other Matters

9. The appellant indicates that the property is not in a conservation area and is not protected through other designations. This would not justify harmful development. I recognise that the Council raises no concerns about neighbours' living conditions and note this is not a matter in dispute between the main parties. These matters have no bearing on my decision.

Conclusion

10. For the reasons given above, having had regard to the development plan as a whole, along with all other relevant material considerations, I conclude that the appeal should be dismissed.

David English

INSPECTOR