



Appeal Decision

Site visit made on 15 November 2022

by B Pattison BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 02 DECEMBER 2022

Appeal Ref: APP/G5180/D/22/3303454

33 Hillcrest Road, Bromley, Orpington BR6 9AN

- 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 & Mrs Stevenson-Dunn against the decision of London Borough of Bromley.
 - The application Ref DC/22/00823/FULL6, dated 24 February 2022, was refused by notice dated 24 June 2022.
 - The development proposed is demolition of existing garage; erection of single storey side and rear extension with associated landscaping works.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed extension on the living conditions of the occupiers of 31 Hillcrest Road, with particular reference to outlook.

Reasons

3. The appeal property is a two-storey semi-detached property with a single storey side garage. This part of Hillcrest Road is on a steep incline. As result, 31 Hillcrest Road, the adjoining property to the west, is constructed on noticeably lower ground than the appeal property.
4. The submitted drawings show that the side extension would be constructed along the full depth of the house and approximately 3.5 metres beyond the rear elevation. The extension would be built right to the shared boundary with No. 31, and as a result of the levels difference, would extend to a height roughly halfway up No. 31's first floor windows. It would be significantly taller than the existing fence line and would introduce a tall imposing feature along the boundary that would have a significantly greater enclosing impact on the adjoining property than at present. Privacy screening would also be installed on the shared boundary for the length of the rear patio area. Whilst this would prevent unacceptable overlooking towards the rear of the neighbouring property, as a result of the levels difference, it would be an unusually tall additional visual incursion for the users of the adjacent garden.
5. Whilst my site visit was in the autumn and during inclement weather, No. 31's patio area contained domestic paraphernalia which suggests that it is well used by the occupiers. Typically, the garden area immediately outside the rear of a house is often the area that is in most frequent use by the occupants. Despite its staggered building line, the rear extension would enclose one side of No.

31's patio area to a significant degree. Whilst the impact would be greater in areas closer to the shared boundary, the extension and privacy screening would be a harmful looming presence from the majority of areas on the patio. No. 31's garden is long and will enjoy sunlight in the afternoon and evening. However, this does not overcome my concerns about the sense of enclosure and impact on outlook from the patio area.

6. Separately, No 31's habitable ground floor rear windows are set away from the shared boundary, and the outlook for these rooms would not be significantly affected by the development. Similarly, the nearest habitable first floor window is higher and orientated away from the proposed extension. It therefore would not have an unacceptable impact on the outlook from this room. However, that does not alter my other concerns regarding the development, as set out above.
7. For the above reasons, I conclude that the proposed extension would harm the living conditions of the occupiers of 31 Hillcrest Road with particular reference to loss of outlook. It would therefore conflict with Policy 37 of the Bromley Local Plan (2019). Amongst other aspects, this seeks to protect the living conditions of occupiers of neighbouring adjoining properties from unreasonable visual intrusion.

Other Matters

8. The concerns expressed regarding the Council's conduct during the processing of the planning application fall outside of the remit of this Decision.
9. There would be no harm in relation to the design of the proposed development, loss of privacy to No. 31 or the impact on the living conditions of any other neighbouring residents. However, these are ordinary requirements for new development, and they do not represent a positive benefit that weighs in favour of the proposal.

Conclusion

10. For the above reasons I conclude that the appeal should be dismissed.

B Pattison

INSPECTOR