



Appeal Decision

Site visit made on 15 December 2022

by Victor Callister BA(Hons) PGC(Oxon) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 09 January 2023

Appeal Ref: APP/G5180/D/22/3302766

14 Irene Road, Orpington, Bromley, BR6 0HA

- 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 Bharat Aqnihotri against the decision of the London Borough of Bromley Council.
 - The application Ref DC/22/00533/FULL6, dated 7 February 2022, was refused by notice dated 29 June 2022.
 - The development proposed is a first floor side extension.
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Decision

1. The appeal is allowed and planning permission is granted for a first floor side extension at 14 Irene Road, Orpington, Bromley BR6 0HA, in accordance with the terms of the application DC/22/00533/FULL6, dated 7 February 2022, 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: 69BR-00 Version A, 69BR-03 Version B, 69BR-04 Version B, 69BR-05 Version B, 69 BR-06 Version B and 69BR-07 Version B.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
 - 4) The first floor window to the bathroom in the development hereby permitted shall at all times be glazed with obscured glass and no part of that window that is less than 1.7 metres above the floor shall be capable of being opened.

Main Issues

2. The main issues are the effect of the proposal on:
 - The character and appearance of the host dwelling and that of the local area; and
 - The living conditions of neighbouring residential occupiers with reference to outlook.

Reasons

Character and Appearance

3. The host dwelling is a detached two storey hipped roofed house, located on a steeply sloping plot between the no-through end of Irene Road and Broomhill Road. It is neighboured on either side by similarly scaled detached two storey houses, in a predominantly residential part of Orpington. The local area is made up of houses of similar scale but of a variety of designs, many of which appear to have undergone extensive alteration and extension.
4. The host dwelling has been the subject of a recently implemented series of extensions and alterations, including a single storey side extension to that side of the host dwelling fronting onto its boundary with the rear garden of 67A Broomhill Road (No.67A). This neighbouring dwelling steps forward of the host dwelling towards Broomhill Road, resulting in no overlap between their respective flank walls. The existing side extension has a separating gap to the boundary with No.67A that varies between approximately 0.589 and 0.733 Metres.
5. The proposed first floor side extension would sit above the existing side extension, aligning with the existing elevation facing Irene Road, but being set in from the existing elevations facing Broomhill Road and the side boundary with No.67A. This would result in the proposed extension having a separation gap of between approximately 1 and 1.2 Metres to the side boundary.
6. Policy 8 of the Bromley Local Plan (2019) (the Local Plan) normally requires that the side space to the boundary should be a minimum of 1 Metre for the full height and length of the building. However, there is a significant stepped relationship between the host dwelling and No.67A and the host dwelling is set into an area excavated into the steeply sloping plot, which results in the host dwelling appearing as a single storey when viewed from Irene Road. When these site conditions are considered along with the angled boundary between these two houses, I find that the site circumstances in this instance are not normal.
7. The setting back of the proposal on top of the existing extension would not fully meet the normal 1 Metre side space requirement for the resulting building for its full height and length. Rather, the proposal would result in varying separating distances to the boundary. However, due to the existing site circumstances I have identified, the proposal would not appear to visually encroach on the side space, or to result in a terracing effect with No.67A. Therefore, given the far from normal site circumstances, I find that the proposal would accord with policy 8 of the Local Plan.
8. The roof of the proposal would be a hipped roof but would terminate in a crown roof area that would integrate with the side slope of the existing roof. This would result in the roof of the proposal being lower than the main roof of the host dwelling but matching its angles and generally reflecting its hipped form.
9. The setting in of the proposed extension from the existing ground floor extension and the lower but matching roof form and angles would result in the proposal being subordinate in scale to the host dwelling. With the proposed matching materials and fenestration, the proposal would appear to integrate well with the existing dwelling and would appear as a complementary addition.

This would, therefore, not appear as dominant in relation to the host dwelling and would not appear out of character or incongruous in relation to the host dwelling or the streetscene of the local area, where a variety of designs and extensions are in evidence.

Living Conditions

10. The proposal would be visible from the rear rooms and rear garden of No.67A, However, given the setting in of the host dwelling into the topography of its steeply sloping plot, setting back of the proposal from the side elevation of the existing dwelling, lower roof height than the host dwelling and the proposed separating distance from the boundary, these views would be tangential.
11. The proposal would not, therefore, be so prominently positioned in these views that it would appear dominant, enclosing or overbearing. Rather, views of the proposal would appear to be of an extent that is to be expected in a developed residential area of this type, where the presence of surrounding residential properties is generally evident but not encroaching.
12. For these reasons, I do not find that the proposal would result in any significant harm to the character and appearance of the host dwelling and that of the local area, or to the living conditions of the neighbouring residential occupiers at No.67A. The proposal would not, therefore, conflict with policies 6, 8 and 37 of the Local Plan, policy D3 of the London Plan (2021) or section 12 of the National Planning Policy Framework (2021). These collectively seek development that is of a high design quality with appropriate separating distances, integrates with the local area and does not undermine the quality of life of neighbouring occupiers.

Conditions

13. Along with the standard condition relating to the timing of implementation, I have attached conditions to ensure design quality which require compliance with the approved drawings, and that materials used for the proposal match those of the host dwelling. To protect privacy, I have also imposed a condition relating to the glazing of the first floor bathroom window.

Conclusion

14. The appeal is allowed

Victor Callister

INSPECTOR