



Appeal Decision

Site visit made on 21 March 2023

by D Wilson BSc (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 April 2023

Appeal Ref: APP/G5180/D/23/3315484

211 Wickham Chase, Bromley, West Wickham BR4 0BJ

- 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 Sam Gunawarna against the decision of the Council of the London Borough of Bromley.
 - The application Ref DC/22/03358/FULL6, dated 23 August 2022, was refused by notice dated 7 November 2022.
 - The development proposed is to raise the deck to meet the same level as the existing rear extension.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development upon the living conditions of the occupiers of 209 and 213 Wickham Chase, with particular regard to privacy.

Reasons

3. A decked area already exists to the rear of the property and gives stepped access to the garden, which is over a metre lower than the dwelling and is a common feature with dwellings along Wickham Chase. The current decking is accessed by steps immediately to the rear of the dwelling and the proposal seeks to raise the decking to be level with the dwelling.
4. A degree of overlooking already exists which allows for views of the neighbouring gardens at 209 and 213 Wickham Chase, however the existing fencing and hedgerow on the common boundaries provides some screening.
5. The proposal would raise the height of the decking by over 0.5m and would allow unobstructed views of both gardens at No's. 209 and 213. The depth of the decking is over 3m and whilst this depth would remain the same, the extra height would increase visibility of neighbouring gardens from a seated and standing position. The proposal would therefore cause additional overlooking and result in an unacceptable loss of privacy for neighbours.
6. The proposed glass balustrade, due to its low height and transparency, would not mitigate the overlooking or loss of privacy as views would still be possible over and through the balustrade.
7. The appellant has suggested that a condition could be imposed requiring privacy screens. I am told that these would comprise obscure glazing at 2m

high, positioned along the sides of the deck and tapered towards the rear. These works would constitute a material change to the development proposed and they have not been the subject of public consultation. To avoid prejudicing interested parties, I have determined the appeal against the information submitted with the application.

8. I conclude that the proposal would have a materially harmful effect on the privacy of neighbouring occupiers at Nos. 209 and 213 Wickham Chase within their gardens. The proposal would therefore be contrary to Policy 37 of the London Borough of Bromley Local Plan (2019) which seeks to ensure that development respects the amenity of the occupiers of neighbouring buildings.

Other matters

9. I note that the proposal seeks to create an outdoor space which is level with the host accommodation and provide some enhancements for the occupiers of 211 Wickham Chase. However, these matters do not outweigh the harm caused to the living conditions of neighbouring occupiers.

Conclusion

10. For the reasons set out above, having had regard to the development plan read as a whole, and all other material considerations, I conclude that the appeal should be dismissed.

D Wilson

INSPECTOR