



Appeal Decision

Site visit made on 28 April 2023

by S Poole BA(Hons) DipArch MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25th May 2023

Appeal Ref: APP/G5180/D/23/3314734

25 Wayside Grove, London SE9 4ND

- 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 and Mrs David against the decision of the Council of the London Borough of Bromley.
 - The application Ref DC/22/02919/FULL6, dated 21 July 2022, was refused by notice dated 3 November 2022.
 - The development proposed is the erection of a part one and part two storey side extension and loft conversion together with a new porch
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effects of the proposal on:
 - (i) The character and appearance of the host property and the surrounding area; and
 - (ii) The living conditions of the occupiers of 99 and 101 St Keverne Road, with particular regard to overlooking.

Reasons

Character and appearance

3. The appeal property is a handsome 2-storey house with a hipped roof. It forms one end of a terrace of 3 houses laid out at 45 degrees to the junction between Wayside Grove and St Keverne Road. The property is situated in a planned residential estate comprising predominately terraced houses of very similar form and design. The uniformity of the area is a matter to which I attach significant weight.
4. The proposal would include the erection of a part single and part 2-storey side addition together with a double-storey front "porch" addition. These elements would severely unbalance the symmetry of the group of 3 houses and the front addition would also be a wholly alien and incongruous element as the surrounding area ostensibly features flat-fronted houses.
5. I conclude therefore that due their bulk, siting and design these aspects of the proposal would have an unacceptable effect on the character and appearance

of the host building and the surrounding area. Consequently, the proposal is contrary to policies 6 and 37 of the London Borough of Bromley Local Plan (2019) (LP) which, amongst other matters, seeks to ensure that the scale and form of construction respects or complements the host dwelling, is compatible with development in the surrounding area, and maintains space or gaps between buildings where these contribute to the character of the area and positively contribute to the street scene. There is also conflict with the aims of LP Policy 8 which seeks to retain generous space between buildings within residential areas where higher standard of separation already exist.

Living conditions

6. The appeal property has been designed with a windowless main rear elevation so as to prevent overlooking of the nearby gardens to the rears of 99 and 101 St Keverne Road. The proposal includes the erection of a large box dormer with windows in the expanded rear roof slope together with the installation of windows at first floor level. These new apertures, which would predominately serve bedrooms, would allow extensive views into the rear garden of No.101 and, to a lesser degree, into the rear garden of No.99. The degree of overlooking and loss of privacy to the occupiers of the neighbouring properties would be significant and harmful.
7. I conclude therefore on this matter that due to its design and height the proposal would have an unacceptable effect on the living conditions of the occupiers of 99 and 101 St Keverne Road. As such it fails to accord with LP Policy 37 which seeks to protect existing residential occupiers from inappropriate development.
8. I note that if the property benefits from permitted development rights that these could potentially be used in a way that would result in a degree of overlooking. There is however no evidence before me to demonstrate that such a scenario would be as impactful as that proposed. I therefore accord limited weight to the suggested fall-back position. The fact that neighbours have not objected does not demonstrate that there would be no harm to their amenity or that of future occupiers of the neighbouring properties.

Conclusion

9. For the reasons set out above, and having regard to all other matters raised, I conclude that the appeal should fail.

S Poole

INSPECTOR