



Appeal Decision

Site visit made on 7 June 2023

by C J Leigh BSc(Hons) MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 07 July 2023

Appeal Ref: APP/G5180/D/23/3317781

8 Hayes Way, Beckenham, BR3 6RL

- 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 Zoe Rogers against the decision of the Council of the London Borough of Bromley.
 - The application Ref DC/22/02729/FULL6, dated 6 July 2022, was refused by notice dated 12 January 2023.
 - The development proposed is described as 'single storey side extension, two storey front extension and loft conversion'.
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Preliminary matters

1. I have determined this appeal on the basis of the description of development set out on the Council's decision notice as this is more comprehensive than that on the application form, namely part one/two storey front extensions, single storey side extension, conversion of existing garage into habitable room and elevational alterations; roof alterations incorporating 3 rear dormers and increase in height of roof ridge.

Decision

2. The appeal is allowed and planning permission is granted for part one/two storey front extensions, single storey side extension, conversion of existing garage into habitable room and elevational alterations; roof alterations incorporating 3 rear dormers and increase in height of roof ridge at 8 Hayes Way, Beckenham, BR3 6RL in accordance with the terms of the application ref DC/22/02729/FULL6, dated 6 July 2022, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) 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.
 - 3) The extension hereby permitted shall not be occupied until the windows at second floor level in the side elevations have been fitted with obscured glazing, and no part of those windows that is less than 1.7 metres above the floor of the room in which it is installed shall be capable of being opened. The windows shall thereafter be retained as such.
 - 4) The development hereby permitted shall be carried out in accordance with the following approved plans: Site plan 1:1250, Block plan 1:500,

AA/HW-8-01, AA/HW-8-02, AA/HW-8-19 Rev D, AA/HW-8-20 Rev D,
AA/HW-8-21 Rev D & AA/HW-8-22 Rev D.

Main issues

3. The main issues are the effect of the development on, firstly, the character and appearance of the Park Langley Conservation Area and, secondly, the living conditions of adjoining occupiers.

Reasons

Character and appearance

4. The appeal site lies within the Park Langley Conservation Area, where I have a duty under s72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of the Area.
5. The Area is a residential estate laid out in the early 20th Century on broadly Garden City principles with wide, gently sinuous roads, extensive landscaping, spacious character and large houses set back from the road. This character is seen in the earlier period of housing in the estate, but later housing also demonstrates that character of large houses in spacious plots.
6. There is a diversity to the appearance of housing, which I understand was an intention of the original layout of the estate, and I saw at my site visit this tradition of diversity has evidently carried on since the establishment of the estate with a number of new, extended and replacement properties. The significance of the Conservation Area as a heritage asset derives from the spacious and landscaped character of the Estate being still evident, as a suitable setting for these houses.
7. The existing property is a later infill to the road, dating from the 1980s. It is a relatively modest house in scale with no particular architectural features, and is set back from the road. The proposals would alter the appearance through front extensions that would create a new front gable, two-storey bay windows, and alterations to the roof and existing front gable.
8. Although these changes would increase the scale of the house when seen from the street, I agree with the appellant that this would be of benefit to the area: the resulting design of the house would reflect the appearance of other houses in the vicinity through the addition of gables and windows that are better proportioned to the property, and the appearance and rhythm of other houses in the street scene. The house would continue to be set back from the general building line, and the property remains lower than adjoining houses, hence there would not be undue imposition to the area. An appropriate degree of spaciousness would remain around the house.
9. The alterations to the rear of the property would have little visibility from public viewpoints, and where seen from such views and from private areas the changes to the roof would be suited to the mixed character of the area.
10. The proposed alterations and extensions to the property would thus result in a house that is of suitable design, proportions and scale for the area, and represent an improvement to the appearance of the property. The significance

of the heritage asset would not be harmed, and there would be an enhancement to the Conservation Area.

11. Thus, on the first issue it is concluded the proposals are consistent with Policies 6, 37 and 41 of the Bromley Local Plan, and the Park Langley Conservation Area Supplementary Planning Guidance, the general thrust of which seeks to ensure all development, including residential extensions, is a high standard of design and layout that complements adjacent buildings and area, and that the character and appearance of conservation areas is preserved or enhanced.

Living conditions

12. The proposed front extension would bring the appeal property closer to the side elevation of the adjoining property at No. 6. There is a side window to that property that looks out towards the area where the extension is proposed, but I am informed is a bathroom and obscure glazed. There is also a ground floor window, but the outlook from that is currently constrained by the boundary fence and ground floor projection. These matters, and the distance retained between the proposed extension to the adjoining house, mean in my judgement there would be little material effect on the outlook or levels of light to habitable rooms at the adjoining house.
13. The proposals show new windows would be created in the side elevation of the appeal property to serve rooms in the loft space. The appellant has accepted these should be obscure glazed and fixed shut, to ensure no loss of privacy to adjoining occupiers. I consider such a condition would address this matter, and that such controls are reasonable as the rooms served by those windows have other windows hence they would still have adequate light and ventilation.
14. On the second main issue it is therefore concluded the proposed development would not be harmful to the living conditions of adjoining occupiers. Thus, the proposals would be consistent with Policy 37 of the Local Plan insofar as it relates to ensuring all development proposals respect the amenity of occupiers of neighbouring buildings.

Conclusion and conditions

15. For the reasons given I conclude that the proposals would comply with the development plan, subject to suitable conditions. I have attached the Council's suggested condition requiring matching materials to ensure a satisfactory appearance to the development, and a condition specifying the approved plans in the interest of precision. I have also attached the suggested condition ensuring the windows to the side elevation of the extension are obscure glazed, to ensure no loss of privacy.

C J Leigh

INSPECTOR