



Appeal Decision

Site visit made on 16 May 2023

by C Carpenter BA MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 JULY 2023

Appeal Ref: APP/G5180/W/22/3311252

37A Blandford Road, Beckenham, Bromley BR3 4NE

- 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 Jamie Archer against the decision of the Council of the London Borough of Bromley.
 - The application Ref DC/22/02327/FULL1, dated 9 June 2022, was refused by notice dated 13 September 2022.
 - The development proposed is described as "2 storey terraced house. Works pertain to ground floor flat only", "Ground floor flat. Proposed rear extension only".
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issues in this appeal are:
 - i. The effect of the proposed development on the living conditions of the occupiers of No 35A Blandford Road, with particular regard to outlook and light.
 - ii. Whether the proposed development would provide adequate living conditions for the existing and future residents of No 37A Blandford Road, with particular regard to outlook and light.

Reasons

Living conditions of the occupiers of No 35A Blandford Road

3. The proposed extension would introduce built form up to and along the boundary with No 35A. This would be almost double the length of the existing two-storey outrigger at the host property. The proposed roof would slope down to 2 metres at the boundary. This tapered profile would somewhat reduce the bulk of the extension. However, given the length of the proposed structure and its proximity to the shared boundary, it would dominate the outlook from the adjacent ground floor rear and side facing windows at No 35A. This would create a constrained outlook resulting in an oppressive internal environment that would be harmful to the living conditions of those occupying No 35A.
4. The rear part of the extension would be approximately one metre higher than the current boundary fence at its highest point. Notwithstanding the downward slope of the roof, this additional height combined with the length of the extension would restrict the amount of natural light reaching the ground floor

rooms at No 35A at some times of the day, particularly in winter when the sun is low in the sky.

5. I acknowledge that a 2-metre-high fence could be erected along the shared boundary as permitted development. However, it would not have the same form, scale or massing as the proposed development and would therefore be unlikely to result in the same harmful effects outlined above.
6. For these reasons, I conclude the proposed extension would have a harmful effect on the living conditions of the occupiers of 35A Blandford Road, with particular regard to outlook and light. This is contrary to Policies 6 and 37 of the Bromley Local Development Framework Local Plan (BLP), which together seek to achieve high standards of design and require residential extensions to be compatible with surrounding development and respect the amenity of neighbouring occupiers. It is also contrary to the National Planning Policy Framework (the Framework) where it requires development to create a high standard of amenity for existing users.

Living conditions for existing and future residents of No 37A Blandford Road

7. The existing lounge at No 37A enjoys a largely uninterrupted outlook from its rear facing window over the side return area. The proposal would see this room converted into a second bedroom.
8. The proposed extension would create a small, enclosed courtyard outside this bedroom window, which would look directly onto the northwest facing elevation of the kitchen. The proximity of this elevation would significantly restrict the outlook from the bedroom window. Although the sloping roof of the extension would not completely obstruct the window, the breadth and length of the extension's roof would dominate the outlook from the room and significantly restrict natural light within it. The provision of a fully glazed double door would do little to mitigate the poor outlook and reduced light because the additional area of window would be at the bottom of the opening and therefore almost completely obstructed by the extension. Given the affected room is single aspect, this would result in a gloomy and claustrophobic internal environment for future occupants, which would be detrimental to their living conditions.
9. Consequently, I conclude the proposed development would not provide adequate living conditions for the existing and future residents of No 37A Blandford Road, with particular regard to outlook and light. This is contrary to Policies 6 and 37 of the BLP and the associated policies of the Framework, which together seek, among other things, to achieve high standards of design and require high standards of amenity for existing and future users.

Other Matters

10. On the evidence before me, I am not persuaded the small courtyard would result in significantly increased noise and disturbance for neighbouring occupiers. It would likely be used in a similar way to the current side return at No 37A but would be smaller, so would accommodate fewer people at one time. However, compliance with the development plan in this respect is a neutral factor.

Conclusion

11. For the above reasons, I conclude the proposal would conflict with the development plan as a whole and there are no material considerations, including the Framework, to indicate a decision should be taken otherwise than in accordance with it. Therefore, the appeal should be dismissed.

C Carpenter

INSPECTOR