



Appeal Decision

Site visit made on 13 July 2023 by R Dickson BSc (Hons) MSc MRTPI

Decision by John Dowsett MA DipURP DipUD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 3 October 2023

Appeal Ref: APP/G5180/D/23/3321337

16 Red Oak Close, Bromley, Orpington BR6 8HH

- 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 & Mrs V Lake against the decision of the Council of the London Borough of Bromley.
 - The application Ref: DC/22/05074/FULL6, dated 23 December 2022, was refused by notice dated 20 February 2023.
 - The development proposed is for a first floor side extension over existing single storey side extension.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issue

3. The effect of the proposed development on the character and appearance of the area.

Reasons for the Recommendation

4. Red Oak Close is a cul-de-sac comprising semi-detached properties of a similar size. The close has a sense of openness, with pairs of properties with obvious gaps between them. Adjacent to the appeal site are a pair of properties which are lower and set further back from the road and from the last properties within the cul-de-sac.
5. The proposed first floor extension would be built up to the existing wall of the ground floor extension, forming a continuous vertical side elevation near to the neighbouring property. The extension would erode the obvious gaps between the pairs of properties and would break the general pattern of development.
6. I am aware that no 16 already benefits from permission for a similar extension, albeit narrower than the appeal proposal. Although there would only be a small increase in the width of the extension, this would nevertheless decrease the gap between No 16 and No 18, which is a key feature of the close. The sense of enclosure, and terracing effect, would be exacerbated by the setting of No 18 and 20, which are set further back from the existing line of properties, and are lower than the appeal property, resulting in an unduly cramped appearance.

7. The proposal would therefore be contrary to Policy 8 of the Bromley Local Plan (2019) which seeks to maintain a one metre gap between neighbouring properties. In addition, the proposal would also be contrary to policies 6 and 37 of the Local plan, which seek to ensure that new development is compatible with surrounding development.

Other Matters

8. It is evident that there are similar side extensions to that proposed on Red Oak Close. However, despite the alterations, the overall pattern of development has been retained. In most instances a large gap has been maintained simply owing to the positioning of the buildings, and in other instances, the sense of openness has been retained through the angle of the extension in comparison to the adjacent building.
9. I acknowledge the need to be able to maintain the building, however this need does not outweigh the need to ensure that new development is compatible with the existing area in terms of character and appearance, and therefore does not alter my recommendation.

Conclusion and Recommendation

10. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

R Dickson

APPEAL PLANNING OFFICER

Inspector's Decision

11. I have considered all the submitted evidence and my representative's report. I have also been provided with a number of photographs of the site and the surrounding area.
12. Whilst I have noted that there are other two storey side extensions within the street, no substantive evidence has been submitted in respect of these, or when these were permitted, or what the policy regime was at the time. Although one of these may be closer than one metre to the boundary, I do not know the circumstances which lead to this being accepted. Because of this, I cannot be certain that these circumstances are analogous to the case now before me.
13. I am also mindful that a two storey side extension has previously been permitted at the appeal building. The appellant suggests that this extension would be incongruous in the street scene and would cause greater visual harm than the appeal proposal. The drawings for this previous permission have not been provided and I cannot verify this assertion. Therefore, I give little weight to this. Moreover, this previous permission complies with the requirements of Policy 8 of the Bromley Local Plan, whereas the appeal proposal does not. Consequently, although this previous permission could be implemented, it does not indicate that a development which does not comply with the development plan should be permitted.
14. In the light of the above, and based on the information provided, I would concur with my representative's findings in respect of the proposal. I find that

the appeal proposal would cause harm to the character and appearance of the area and would be contrary to the relevant policies in the development plan. No other material considerations have been identified which would indicate that the proposal should be permitted. I therefore conclude that the appeal should be dismissed.

John Dowsett

INSPECTOR