



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/23/3321410

Two Ways, Orchard Road, Pratts Bottom, Orpington BR6 7NT

- 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 Lyle Reeves against the decision of the Council of the London Borough of Bromley.
 - The application Ref: 23/00831/FULL6, dated 2 March 2023, was refused by notice dated 27 April 2023.
 - The development proposed is for a single storey rear extension.
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Decision

1. The appeal is allowed and planning permission is granted for a single storey rear extension at Two Ways, Orchard Road, Orpington BR6 7NT in accordance with the terms of the application, Ref: 23/00831/FULL6, dated 2 March 2023, 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 development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan; 628-10 and 628-11.
 - 3) 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.

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 main issue is the effect of the proposed development on the living conditions of the occupiers of Sunnybrae, with specific regard to outlook.

Reasons for the Recommendation

4. The boundary between Two Ways and Sunnybrae is formed by tall thick hedging stretching the length of the garden. The plot gently slopes to the rear, with an existing raised patio area where the extension would be situated.
5. While the proposed extension would extend past the existing rear wall of the dwelling, given the siting of the proposals adjacent to Sunnybrae, and the fact that they would be shielded by a substantial hedge, I do not consider that the

proposals would be harmful to the outlook of the occupiers of Sunnybrae. Even if the hedge was not present, given the separation distances between the two built forms and the modest height compared to the main building, the proposed development would not give rise to any harm to outlook.

6. Accordingly, the proposal is in accordance with the aims of policies 6 and 37 of the Bromley Local Plan (2019), which seek to respect the gaps between buildings, and maintain the living conditions of neighbouring occupiers.

Conditions

7. In addition to the standard commencement condition, a condition to require the development to be carried out in accordance with the approved plans is required for certainty. As precise details of the materials to be used for the extension are not included in the application, in order to maintain the appearance of the building, it is necessary to impose a condition requiring the external materials to match those of the existing house.

Conclusion and Recommendation

8. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be allowed subject to conditions.

R Dickson

APPEAL PLANNING OFFICER

Inspector's Decision

9. I have considered all the submitted evidence and my representative's report. I have also been provided with photographs of the appeal site and the surrounding area.
10. Based on the information provided, I would concur with my representative's assessment in terms of the effect on outlook as the large and relatively wide rear garden area to the neighbouring property would maintain a generally open context within which the proposed extension would not be perceived as unduly dominant or oppressive. Due to the position of the appeal building relative to Sunnybrae, the proposed extension would not have an effect on the sunlight or daylight received by that property. Because no windows are proposed on the side elevation of the extension facing the common boundary the proposal would not result in mutual overlooking. I find that the proposal would not cause harm to the living conditions of the occupiers of Sunnybrae and would comply with the relevant requirements of the development plan policies identified above.
11. For the above reasons, I therefore conclude that the appeal should be allowed.

John Dowsett

INSPECTOR