



Appeal Decision

Site visit made on 31 August 2023 by N Unwin BSc (Hons) MSc MRTPI

Decision by John Morrison BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 October 2023

Appeal Ref: APP/G5180/D/23/3326162

253 Pickhurst Lane, Bromley, West Wickham BR4 0HJ

- 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 Craig Jacques against the decision of the Council of the London Borough of Bromley.
 - The application ref. DC/23/00845/FULL6, dated 1 March 2023, was refused by notice dated 28 April 2023.
 - The development proposed is described as a 'double storey wrap around extension with single storey rear extension.'
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Decision

1. The appeal is allowed and planning permission is granted for development described as 'a double storey wrap around extension with single storey rear extension' at 253 Pickhurst Lane, Bromley, West Wickham BR4 0HJ in accordance with the terms of the application, ref. DC/23/00845/FULL6, dated 1 March 2023, subject to the following conditions:
 - 1) The development hereby permitted shall begin no 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 and documents: 0794 A3/08 A; Fire Safety Statement; 0794 A3/13 A; 0794 A3/07/ A; 0794 A3/03 B; and 0794 A3/04 A.
 - 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.
 - 4) The first-floor windows within the side elevation hereby permitted shall be fitted with obscured glazing, and no part of the window that is less than 1.7 metres above the floor of the room in which it is being installed shall be capable of being opened. Details of the type of obscured glazing shall be submitted to and approved in writing by the local planning authority before the windows are installed and once installed the obscured glazing shall be retained thereafter.

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 proposal on (i) the character and appearance of the area; and (ii) the living conditions of the occupiers of 251 Pickhurst Lane with particular regard to outlook and daylight.

Reasons for the Recommendation

Character and Appearance

4. The appeal building is typical of the area which is made up of detached and semi detached two storey dwellings. A number of which have undergone a variety of alterations, some over two storeys. The design thereof has, in most cases, echoed the host building and displays subservience thereto. The front elevation of the appeal building is similar in appearance to the adjoining dwelling, save for a two-storey side addition that projects partly to the rear. The existing rear elevation contains a number of different extensions which, whilst remaining subservient to the host dwelling, do not benefit from any uniformity creating a disjointed appearance.
5. Whilst adding volume to the building, the proposal would not extend beyond the side elevation and would only project modestly to the rear. In addition, the existing roof pitch would be maintained in the proposed two storey rear projection and the use of a hipped roof would further reduce its overall mass. The proximity to the neighbouring dwelling would also limit any visual prominence from surrounding viewpoints. The eaves height would be maintained to the rear elevation, but the total height of the ridge would ensure subservience to the host. The two storey rear section, including the single storey element, would also assist in rationalising the appearance of built form across the site, showing as a more visually coherent addition overall.
6. Consequently, the proposal would not harm the character or appearance of the area. It would thus accord with Policies 6 and 37 of the London Borough of Bromley Local Plan (2019) which, amongst other things, require new development to respect the scale and form of the host dwelling and be compatible with development in the surrounding area.

Living Conditions

7. No. 251 is in close proximity to the appeal property. There are two windows in the first-floor side elevation of No. 251 facing the appeal site. The first is a small window to a front bedroom, with the majority of light to this room obtained from a large front window. The second is a window that the Council describe as serving a first-floor hall landing. There is an existing garage building adjoining the side elevation of No. 251 with its roof projecting above the sill level of this window, significantly impeding outlook and levels of daylight. A single storey extension to the rear of No. 251 has a large window and double-glazed doors facing the boundary with the appeal property. The outlook from and levels of daylight received by these openings is limited through their close proximity to the high boundary fence.
8. The proposal would represent a moderate increase in built form towards No. 251, being no closer to the shared boundary than the existing side element, minimising its impact on the living conditions of the occupiers. The existing close relationship with No. 251, combined with the relatively small size of the side window to the front bedroom would limit the impact of the proposed side

projection on outlook and levels of daylight of this opening. Furthermore, the existing large front window would provide sufficient levels of daylight to the front bedroom. Similarly, the impact of the proposal's modest projection towards the other first-floor side window, and ground floor side window and doors would be limited by virtue of the aforementioned existing restricted outlook and levels of daylight they receive. The proposal would therefore not result in an unacceptable loss of outlook from or levels of daylight to these openings.

9. Accordingly, the proposal would be acceptable in terms of its effect on the living conditions of the occupants of 251 Pickhurst Lane, with particular regard to outlook and levels of daylight. As such, it would comply with Policy 6 and 37 of the London Borough of Bromley Local Plan (2019) which, when read together and amongst other things, require new development to be compatible with development in the surrounding area and not harm the living conditions of neighbouring occupiers.

Conditions

10. Other than the standard time limit condition, it is necessary to ensure that the development is carried out in accordance with the approved plans for certainty. In the interests of the character and appearance of the area, a condition relating to materials to match that of the existing dwelling is also necessary.
11. The proposed three first-floor windows within the side elevation would be within close proximity of the first-floor windows of No. 251, permitting a level of overlooking resulting in an unacceptable impact on the privacy of the occupiers. As such, a condition is required to secure obscure glazing and non-opening below 1.7 metres, as proposed in the submitted plans, to limit overlooking to an acceptable level.
12. A third-party representation has requested a condition be attached requiring the provision of at least one integral swift nest brick at the site in the interests of biodiversity. Given the absence of any policy justification for this condition or compelling evidence in support, it would be neither reasonable nor necessary.

Conclusion and Recommendation

13. For the reasons given above, the appeal scheme would comply with the development plan. As such, I recommend it be allowed, subject to the conditions set out.

N Unwin

APPEAL PLANNING OFFICER

Inspector's Decision

14. I have considered all the submitted evidence and my representative's recommendation and on that basis the appeal is allowed, subject to the conditions above.

John Morrison

INSPECTOR