



Appeal Decision

Site visit made on 10 October 2023 by Thomas Courtney BA(Hons) MA MRTPI

Decision by K Savage BA(Hons) MPlan MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17th November 2023

Appeal Ref: APP/G5180/D/23/3324821

210 Pickhurst Rise, West Wickham, Bromley BR4 0AU

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval required under Article 3(1) and Schedule 2, Part 1, Class A, Paragraph A.4 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
 - The appeal is made by Mr Justin Turner against the decision of the Council of the London Borough of Bromley.
 - The application Ref DC/23/01543/HHPA, dated 19 April 2023, was refused by notice dated 31 May 2023.
 - The development is a proposed single-storey rear extension with projected roof overhang.
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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.

Procedural Matters

3. Under Article 3(1) and Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development)(England) Order 2015 (as amended) (the GPDO), planning permission is granted for the enlargement of a dwellinghouse subject to limitations and conditions.
4. Where an application is made for a determination as to whether prior approval is required for development which exceeds the limits in paragraph A.1(f) but is allowed by paragraph A.1(g) to Part 1, paragraph A.4(3)(a) provides that the local planning authority may refuse the application where it considers that the proposed development does not comply with the conditions, limitations or restrictions that are applicable to such permitted development.
5. Paragraph A.4(7) to Part 1 requires the local planning authority to assess the impact of the proposed development on the amenity of all adjoining premises, taking into account any representations received.

Main Issue

6. I consider that the main issue in this appeal is the impact of the proposed development on the amenity of adjoining premises with regard to outlook, loss of light and overbearing impact.

Reasons for the Recommendation

7. The appeal site comprises a two-storey, terraced property located on the south-eastern side of Pickhurst Rise within an established residential area. The neighbouring property to the west at No 208 features an existing single storey rear extension of approximately 3.5 metres depth.
8. The proposal would comprise a single-storey rear extension with a total depth of 6 metres, a maximum height of 3 metres, and would sit in close proximity to the common boundaries with the neighbouring properties. Whilst the appellant opines that the proposed extension would be appropriately scaled and moderate in its nature as it would be single storey, the proposed depth of 6 metres (including the roof overhang), due to its proximity to the shared boundary with No 212, would appear as a dominant and incongruous feature. Although single storey, it would still project over the height of the existing boundary fence and be perceived as a bulky and overbearing development that would have an adverse impact on the outlook of the occupiers of the neighbouring dwelling.
9. Furthermore, given the position of the buildings with a rear outlook facing the south-east, the proposed extension would unacceptably reduce the amount of light received by the rear ground floor windows and patio area of No. 212 during the afternoon and evening.
10. My attention has been drawn to other extensions on Pickhurst Rise. Whilst I do not have all the details regarding these developments, it appears they are not entirely comparable to the proposal before me. The 5-metre rear extension at No 280, referred to by the appellant, abuts a neighbouring rear extension at No 278 to the west and a driveway to the east. The extension at No 332 appears to be smaller in scale than the proposal before me and the extensions at Nos 344 and 346 relate to semi-detached properties with wider plots. I do not find that these examples are comparable to the appeal scheme. In any case, the effect on the amenity of adjoining premises necessarily requires a site specific assessment and each proposal should be considered on its own merits.
11. The appellant states that the development would not disrupt the character of the dwelling and would allow the provision of enhanced living space however these considerations would not outweigh the harm to amenity I have identified.
12. Having regard to all of the above, I conclude that the proposed development would have an adverse impact on the amenity of the adjoining premises at 212 Pickhurst Rise with regards to outlook, loss of light and an overbearing impact. So far as it is a material consideration, there would be conflict with Policy 37 of the Bromley Local Plan (January 2019) which seeks to ensure that proposals are well-designed and do not have a negative impact on the amenity of neighbouring occupants.

Recommendation

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

Thomas Courtney

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 dismissed.

K. Savage

INSPECTOR