



Appeal Decision

Site visit made on 12 December 2023

by E Catcheside BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 8 January 2024

Appeal Ref: APP/G5180/D/23/3331130

14 Hollydale Drive, Bromley, BR2 8QL

- 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 and Mrs Adam and Georgia Gray against the decision of the Council of the London Borough of Bromley.
- The application Ref DC/23/02824/FULL6, dated 19 July 2023, was refused by notice dated 15 September 2023.
- The development proposed is part single, part two storey side and rear extension. Single storey front extension with open portico and elevational alterations.

Decision

1. The appeal is allowed and planning permission is granted for part single, part two storey side and rear extension. Single storey front extension with open portico and elevational alterations at 14 Hollydale Drive, Bromley, BR2 8QL in accordance with the terms of the application, Ref DC/23/02824/FULL6, dated 19 July 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: Unnumbered Location Plan, 5890-23-PL001 Rev P3, 5890-23-PL002 Rev P3, and 5890-23-PL003 Rev P4.
 - 3) No development shall take place above slab level until details of the materials to be used in the construction of the external surfaces of the building hereby permitted have been submitted to and approved in writing by the local planning authority. The development shall thereafter be carried out in accordance with the approved details.
 - 4) The development hereby permitted shall not be occupied until the first-floor ensuite window in the side elevation facing 13 Hollydale Drive, as shown on approved drawing 5890-23-PL003 Rev P4, has been fitted with obscured glazing to a minimum of privacy level 3 on the Pilkington scale. No part of that window that is less than 1.7 metres above the floor of the room in which it is installed shall be capable of being opened. Once installed, the obscured glazing shall thereafter be permanently retained.

Preliminary Matter

2. The National Planning Policy Framework was revised in December 2023. As the changes do not materially affect the main issues in this case, the parties have not been invited to make further comments.

Main Issues

3. The main issue is the effect of the proposed development on the character and appearance of the area, with particular regard to the Bromley Common Area of Special Residential Character (ASRC).

Reasons

4. Hollydale Drive lies within the Bromley Common ASRC. It is a leafy, residential street that is characterised by large, detached dwellings on spacious plots. There is a high degree of individualism in the appearance of the properties on the street.
5. Policy 44 of the Local Development Framework Local Plan, London Borough of Bromley Planning Division (2019) (BLP) seeks to protect, enhance and strengthen the special and distinctive qualities of ASRCs. Further guidance is provided in Appendix 10 of the BLP which, amongst other things, states that particular regard should be had to the space between a proposed two storey development and the side boundary of the site. This guidance is reflected in Policy 8 of the BLP, which expects (a) for a proposal of two or more storeys in height, a minimum of 1 metre side space from the side boundary of the site should be retained for the full height and length of the building, or (b) where higher standards of separation already exist within residential areas, proposals will be expected to provide more generous side space.
6. The separation space between dwellings on Hollydale Drive varies along the length of the street at both ground and first floor levels. The dwellings either side of the appeal property fill almost the entire width of their plots, leaving limited side space between the dwellings and their boundaries with No 14. The space between 13 Hollydale Drive and the boundary with the appeal property is narrow at first floor level, given the presence of a projecting first floor side elevation to No 13.
7. The space to the side of the appeal property, facing No 13, is currently occupied by single storey structures comprising a garage and other outbuildings, which extend to the boundary line between the two dwellings. The proposed development would replace these structures with a two-storey side extension. Consequently, there would be no change to the side space between the host property and the boundary with No 13 at ground floor level. At the first floor, the extension would be set-in from the boundary and set back from the front elevation of the dwelling. Accordingly, the retained side space at first floor level would be at least 1m and would be comparable to the side space on the other side of the boundary.
8. The proposed extension would not extend to the full height of the existing dwelling, and sufficient side space would be retained to enable views between the appeal property and No 13 so as not to detract from the overall sense of spaciousness along the street. Moreover, the appeal site is generously sized, with a spacious driveway to the front of the property and a large rear garden. Consequently, the proposed extended dwelling would not appear cramped within its plot. Given that side space varies along Hollydale Drive, the development would be in-keeping with local character and would respect the relationship between the appeal property and neighbouring dwellings.

9. The proposed portico on the front elevation of the appeal building would be a striking feature that does not directly replicate others on Hollydale Drive in terms of its design and scale. However, given the existing variety in front porch structures along the street, and the deep setback from the highway, the proposed portico would not be an incongruent or overly dominant feature in the street scene. Accordingly, it would not detract from local distinctiveness.
10. I conclude that the proposed development would not cause harm to the character and appearance of the area, with particular regard to the Bromley Common ASRC. Accordingly, there would be no conflict with Policies 6, 8, 37, and 44 of the BLP which, taken together and amongst other things, seek to secure development of high-quality design that is compatible with the prevailing character of the area, which includes, amongst other things, the space to the side of dwellings.

Conditions

11. In addition to the standard time limit condition, I have attached a condition to define the permitted drawings to provide certainty.
12. The Council suggested a condition should be imposed requiring the materials to be used in the external surfaces of the development to match those used in the existing building. However, as alternative materials are proposed, I have amended this condition to require the details of materials to be submitted to the Council for approval. This condition is necessary to protect the character and appearance of the area. I have also adjusted the trigger for the condition as it is not necessary to restrict commencement of the development whilst the details of the materials are approved.
13. A condition has been imposed to secure obscured glazing to the ensuite window in the first-floor side elevation of the proposed development, facing No 13. This condition is required to protect the privacy of the occupants of both the appeal property and No 13.
14. The Council suggested a condition is imposed to require parking and circulation areas to be laid out prior to the commencement of the development and for permitted development rights to be withdrawn on areas proposed for parking and access. However, no changes to the access arrangements are proposed as part of the development and there is sufficient space for multiple vehicles to be parked on the driveway. Therefore, this condition is not necessary.

Conclusion

15. The development would be in accordance with the development plan when read as a whole. There are no material considerations before me to indicate that a decision should be made otherwise than in accordance with the development plan. Therefore, for the reasons given above, and subject to the conditions listed, I conclude that the appeal should be allowed.

E Catchside
INSPECTOR