



Appeal Decision

Site visit made on 17 October 2023 by Ifeanyi Chukwujekwu BSc MSc MRTPI
MIEMA CEnv

Decision by Chris Forrett MRTPI, DipTP, BSc (Hons)

an Inspector appointed by the Secretary of State

Decision date: 15 January 2024

Appeal Ref: APP/G5180/D/23/3328200

4 Marsden Way, Orpington BR6 9TX

- 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 Andy Wardell against the decision of the Council of the London Borough of Bromley.
 - The application Ref DC/23/02027/FULL6, dated 23 May 2023, was refused by notice dated 19 July 2023.
 - The development proposed is part single part two storey rear and side extensions.
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Decision

1. The appeal is allowed and planning permission is granted for part single part two storey rear and side extensions at 4 Marsden Way Orpington BR6 9TX in accordance with the terms of application Ref DC/23/02027/FULL6, dated 23 May 2023 and subject to the following conditions:
 - 1) The development hereby permitted shall begin no later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing Nos. MRS/01 Rev A and MRS/02 Rev 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.

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 development on the character and appearance of the area.

Reasons for the Recommendation

4. The appeal property is a detached two storey dwelling with an attached single garage and front porch, as well as a single storey side extension and a conservatory at the rear. It is located on a corner plot on the western side of Marsden Way which leads into a hammerhead cul-de-sac. The surrounding area

is residential. The distinctive character of the street scene is derived predominantly from detached two storey dwellings with garages to the side or bungalows with side garages which are set back towards the rear. These are set back from the road and have spacious rear gardens, which creates a feeling of openness and an appearance of a neat street scene.

5. Policy 8 of the London Borough of Bromley Local Development Framework Local Plan (January 2019) (the 'LP') requires extensions of two or more storeys in height to retain a minimum 1 metre space from the side boundary for the full height and length of the building. The supporting text to the policy states that this is important to prevent a cramped appearance and related terracing from occurring.
6. The proposal includes both single and two storey projections at the rear of the property and would also integrate the existing single storey side extension into the scheme, adding a first-floor extension. This would extend towards, but still be set back from, the front wall of the property. The external wall at both ground and first floor levels for the side extensions would be set back from the flank boundary by more than 1 metre. Thus, the proposed extensions would accord with Policy 8 of the LP in this regard.
7. The resultant development would still allow for a separation space that, in my view, would not dramatically erode the sense of spaciousness and open character of the area. The resultant gap would still allow for glimpses through the site and the wider area (especially considering the existence of similar separation gaps at 1 Shepherds Close and 1 St Joseph's Close) and would not appear incongruous in its context.
8. For the reasons above, I conclude that the proposal would not harm the character and appearance of the area and so would accord with Policies 6, 8 and 37 of the LP which collectively seek to maintain appropriate separation distances between properties as well as ensuring that proposals contribute positively to the character and appearance of the surrounding area in which they lie.

Conditions

9. I have imposed the standard conditions relating to the commencement of development and specifying the relevant plans in order to provide certainty. I have also included a condition requiring the external materials to match the existing building, to protect the character and appearance of the area. The Council have not suggested any other conditions beyond these, and I consider that none other are necessary.

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 allowed.

Ifeanyi Chukwujekwu

APPEALS PLANNING OFFICER

Inspector's Decision

11. I have considered all the submitted evidence, and my representative's report, and on that basis the appeal is allowed.

Chris Forrett

INSPECTOR