



Appeal Decision

Site visit made on 19 February 2024

by John D Allan BA(Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 5th March 2024

Appeal Ref: APP/G5180/D/23/3333263

2 Widmore Lodge Road, Bickley, Bromley, BR1 2QF

- 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 Tracey Wheelan against the decision of the Council of the London Borough of Bromley.
 - The application Ref DC/23/03210/FULL6, dated 18 August 2023, was refused by notice dated 16 October 2023.
 - The development proposed was described as '*First floor extension to existing house, minor alterations to ground floor and construction of a freestanding garage and garden room*'.
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Decision

1. The appeal is **dismissed** as far as it relates to the erection of a freestanding garage and garden room. The appeal is **allowed** insofar as it relates to the erection of a single-storey rear infill extension, alterations to front porch and existing ground floor side extension, construction of first-floor side extension and planning permission is granted for the erection of a single-storey rear infill extension, alterations to front porch and existing ground floor side extension, construction of first-floor side extension at 2 Widmore Lodge Road, Bickley, Bromley, BR1 2QF in accordance with the terms of the application, Ref DC/23/03210/FULL6, dated 18 August 2023 and the plans submitted with it so far as relevant to that part of the development hereby permitted, and subject to the following conditions:
 - 1) The development hereby permitted shall begin not 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: Site Location Plan at scale 1:1250 and Drg Nos PD-001 Rev A, PD-010 Rev A, PD-020 Rev A, PD-110 Rev A and PD-120 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.

Procedural Matter

2. I have issued a split decision. The description that I have used in the formal part of my decision where the appeal is allowed, reflects a choice of words used by the Council in their decision notice and which was repeated by the appellant on their appeal form. This better describes the entirety of the proposal as it

relates to extensions to the existing dwelling compared with that which was given on the original application form, and which I have quoted in the banner heading above.

Main Issues

3. The main issues are the effect of the proposed extension to the dwelling upon the character and appearance of the host property and the wider street scene, and the effect of the proposed garage and garden room upon the character and appearance of the area.

Reasons

4. The appeal property is a two-storey semi-detached dwelling with a shallow projection across part of its rear elevation and which has been previously altered from its original mansard-style roof form to a more conventional hipped roof arrangement including a single-storey side extension with a stepped elevation. It occupies a corner plot with a splayed side return boundary to Nightingale Lane; the width of the plot to the rear being much wider than to the front facing Widmore Lodge Road. The surrounding area is residential in character comprising properties of similar age and type, but with mixed designs.
5. The proposal comprises two separate and distinct parts. Alterations to the house would include a first-floor side extension that would project the two-storey hipped roof form of the existing dwelling sideways. The original mansard arrangement to the front would be reinstated on the extension with two matching dormer windows and a similar arrangement would be repeated to the rear. There would also be a small single-storey infill extension that would effectively square-off the existing ground-floor footprint with a lean-to roof over and which would wrap around part of the side elevation over the widest part of the existing single-storey element. A detached outbuilding for use as a garage and garden room is also proposed at the foot of the rear garden fronting onto Nightingale Lane.

Single-storey rear infill extension, alterations to front porch and existing ground floor side extension, construction of first floor side extension

6. Policy 8 of the Bromley Local Plan 2019 (BLP) deals with space to the side of buildings and normally requires a minimum of 1m separation from a building of two-storeys or more to the side boundary of the site for the full height and length of the building. In this instance the front corner of the first-floor side extension would encroach at a pinch-point to within 330mm of the plot's side boundary to Nightingale Lane. This would conflict with the normal requirement of Policy 8. However, Nightingale Lane at this point does not follow a straight alignment but rather displays a prominent kink. The rear boundary of the appeal site spans the rear garden widths of three adjoining properties at Nos 1, 3 and 5 Glen View Road, which runs parallel to Widmore Lodge Road. Due to the alignment of Nightingale Lane, Nos 1 and 3 Glen View Road stand proud of the side elevation of the appeal property in the vista looking east. The view in this direction is further enclosed in the distance by properties on the opposite side of Nightingale Lane as the road curves again in the opposite direction. I was unable to detect any uniformity to the street scene that was dependent upon a regimented amount of space either to the side of any corner properties

nearby with return boundaries to Nightingale Lane, or to those with gardens fronting onto it.

7. In addition, I am mindful of a side extension to No 1 Widmore Lodge Road. This property occupies the corner plot opposite the appeal site and has been extended at two-storey up to its side return boundary along Nightingale Lane. Due to the alignment of the road, it sits comfortable in its setting, without impacting negatively upon the spatial standards of its surroundings.
8. Having carefully considered the context of the appeal site's location, and the spatial characteristics of the area, I am satisfied that the proposed first-floor side extension would be successfully assimilated into the street scene without appearing cramped or harmful to the visual amenities of the area. Due to the particular circumstances of the case, there would be no conflict with BLP Policy 8, specifically as the proposal would satisfy the tests that are set out within the policy's supporting text at BLP paragraph 2.1.68. For these same reasons I am satisfied that the proposed extension would not conflict with BLP Policies 6 and 37 as far as they require development to display a sufficiently high standard of design that would respect the host dwelling in terms of scale, form and materials of construction, and which would be compatible with development in the surrounding area.

Garage and garden room

9. The proposed outbuilding would be tucked close into the far rear corner of the appeal site and at its nearest point would be set back from the return boundary of Nightingale Lane by 3.45m. It would run adjacent to the rear boundary of the site and would measure almost 11m in length, spanning the full width of the rear garden to 5 Glen View Road, and roughly half the width of the garden to No 3. Its narrower side elevation would measure just over 5m and would face Nightingale Lane with a garage door and entrance. The building would measure 2.55m tall to eaves, with a tiled, hipped roof over to a ridge height of 5m according to an undisputed figure given by the Council.
10. When looking east along Nightingale Lane, the building would be seen standing proud of the side elevation of the appeal dwelling, even if extended to the side. Although it would be set against the more distant backdrop of the rear elevation of properties in Glen View Road and therefore not intruding beyond any notional building line, it would be large and prominent. Due to its siting, scale, and bulk, I find that it would appear overlarge as an incidental building within the curtilage of No 2. As such it would be incongruous and obtrusive within its rear garden setting. This would be detrimental to the residential character and appearance of the area.
11. This part of the proposal does not comprise a residential extension. Therefore, I find no conflict with BLP Policy 6. As a single-storey structure, and one that would be set back from the site's side boundary, I am unable to find any conflict with BLP Policy 8. Nevertheless, for the reasons given above, by failing to respect its setting and by failing to contribute positively to the street scene, the outbuilding would not display the high standard of design required by BLP Policy 37.
12. The appellant has referenced other garden outbuildings to other properties in the area that have been identified through aerial photography. However, during my visit I saw nothing that was comparable to the circumstances at the

appeal site in terms of the property's open rear garden setting, or the visual impact within the street scene of any residential outbuilding.

Conclusions

13. For the reasons given, I find that the proposed extension of the existing dwelling would not be harmful to the character or appearance of the host dwelling or the wider street scene. In contrast, I find the proposed garage and garden room would be harmful to the character and appearance of the area. The two parts of the appeal proposal are clearly severable and independent of each other. In these circumstances it is appropriate for me to issue a split decision. The appeal therefore fails as far as it relates to the proposed garage and garden room but in the absence of any identified conflict with the development plan, and having regard to all other matters raised, the appeal succeeds as far as it relates to the proposed extension to the existing dwelling.

Conditions

14. A condition specifying the relevant plans as far as they relate to the part of the development hereby permitted is necessary as this provides certainty. In the interests of maintaining the character and appearance of the area a condition is also required to ensure that the proposed extension to the dwelling is finished with materials that would match the existing.

John D Allan

INSPECTOR