



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/23/3329793

23C Hayes Lane, Hayes, Bromley, BR2 9EA

- 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 Paul May against the decision of the Council of the London Borough of Bromley.
 - The application Ref DC/23/02307/FULL6, dated 14 June 2023, was refused by notice dated 10 August 2023.
 - The development proposed is conversion of existing garage to habitable space and erection of a two-storey front extension with roof accommodation, 1x front and 3x side rooflights and elevational alterations.
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Decision

1. The appeal is allowed and planning permission is granted for conversion of existing garage to habitable space and erection of a two-storey front extension with roof accommodation, 1x front and 3x side rooflights and elevational alterations at 23C Hayes Lane, Hayes, Bromley, BR2 9EA in accordance with the terms of the application, Ref DC/23/02307/FULL6, dated 14 June 2023, 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: Drg Nos EX01 Rev P1, EX02 Rev P1, EX03 Rev P1, PL01 Rev P1, PL02 Rev P1, PL03 Rev P1 and PL04 Rev P1.
 - 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 used the description of development given by the Council on their decision notice and which was repeated by the appellant on the appeal form. This is an accurate but more complete description of the proposed works compared with that which appeared on the application form and which read *'Two Storey front extension with roof accommodation including one new front facing, and three new side facing rooflights'*.

Main Issue

3. The main issue is the effect of the proposal upon the character and appearance of the host dwelling and wider area.

Reasons

4. The appeal property is a modern, two-storey detached dwelling set back from the road and on a fairly narrow plot, being one of four individually styled houses that were built following the subdivision of a larger plot and which forms part of a run of seven (Nos 23, 23a – 23d, 25 and 25a) distinctive homes set between Hayes Lane Baptist Church to one side, and a tract of open land to the other. The proposal would involve extending the property forward at full height to create a stepped front elevation and a remodelled façade, effectively switching an existing front facing gable feature from one side of the building to the other.
5. The extension would match the existing building in terms of style, materials, and detailing. Although the new front gable would be marginally taller than the original, it would appropriately tie-in with the pitch and height of the existing roof profile. Contrary to the Council's view that it would fail to respect the scale and design of the host dwelling, I find that the overall composition of the remodelled dwelling would be well-considered in terms of its proportions, scale and form, with the front extension appearing as a seamless addition which would merely alter the arrangement of the existing building.
6. The Council point to a staggered forward building line that is established between the neighbouring properties within this group of dwellings and which, in their view, would be unacceptably disrupted by the forward projection of No 23C. It is a fact that amongst the group, No 23, which is nearest to the Baptist Church, is set deepest into its plot and that between them the next five properties, at Nos 23a-25, each step forward incrementally of each other to a greater or lesser degree with commensurately more shallow frontages. But I can find no significance to this arrangement. It does not follow any logical alignment with Hayes Lane, which along this stretch bends slightly in the opposing direction to any notional forward building line for these properties. Moreover, No 25 sits noticeably forward of No 25a, which in turn sits adjacent to the adjoining open space. No 25 is openly seen to stand proud of its neighbour in the vista looking east along Hayes Lane and with a very prominent side roof profile of significant mass. Despite this, it is comfortable in its setting. At the opposite end, the Baptist Church imposes itself equally within the street scene, projecting significantly forward of No 23.
7. The extension to No 23C would project forward of the dwelling's existing front elevation by 3.81m. As a consequence, it would step further forward of No 23b to one side and would newly step forward of No 23d on the opposite side. It would undeniably break from the trend of the existing building lines to these properties. However, given the lack of regimentation or consistency that I have identified to the existing arrangement, this would not be harmful. The property would remain set back from the front boundary to Hayes Lane by a depth of 8.5m at its minimum. This would be sufficient to ensure that the extension would not appear intrusive within the street scene.
8. Overall, I am satisfied that the proposal would be neither harmful to the character or appearance of the appeal property or to the wider area. As such, I

find no conflict with Policy DG5 of the Council's *Urban Design Guide Supplementary Planning Document 2023*, or with Policies 6 and 37 of the Bromley Local Plan 2019 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.

Other Matters

9. I have noted a suggestion that the proposal would result in an overdevelopment of the plot given past extensions to the rear of the property, but for the reasons I have given I find that the remodelled form of the dwelling would sit comfortable in its setting.
10. Although the proposal would reduce space to the front of the dwelling and remove an existing integral garage, the Council is satisfied that sufficient space would remain to accommodate parking on site. I have no reason to disagree or to consider that the frontage, which would remain mostly hard-surfaced and in-keeping with neighbouring properties, would appear unacceptably congested. Neither is there any evidence to suggest vehicles entering or leaving the site would impact upon highway safety. I note that the Council's highways officers raised no concern in this regard.

Conditions

11. A condition specifying the relevant plans is necessary as this provides certainty. In the interests of maintaining the character and appearance of the area a condition is required to ensure that the proposal is finished with materials that would match the existing.

Conclusion

12. For the reasons given, in the absence of any other conflict with the development plan, and having regard to all other matters raised, the appeal is allowed.

John D Allan

INSPECTOR