



Appeal Decision

Site visit made on 23 October 2023 by A Khan BSc (Hons) MA

Decision by S Edwards BA MA MATCP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2 April 2024

Appeal Ref: APP/G5180/D/23/3327932

High Brooms, Orpington Road, Bromley, Chislehurst BR7 6RA

- 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 Deniz Safer against the decision of the Council of the London Borough of Bromley.
 - The application Ref 23/01968/FULL6.
 - The development proposed is a two storey side extension, rear single storey extension and loft conversion.
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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.

Preliminary Matter

3. The Government published a revised version of the National Planning Policy Framework (Framework) in December 2023. Whilst I have had regard to the revised national policy as a material consideration, planning decisions must still be made in accordance with the development plan unless material considerations indicate otherwise. In this instance, the issues most relevant to the appeal remain unaffected by the revisions to the Framework. I am therefore satisfied that there is no requirement to seek further submissions on the revised Framework, and that no party would be disadvantaged by such a course of action.

Main Issue

4. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons for the Recommendation

5. The appeal property is located in a residential area predominantly characterised by detached dwellings set significantly back from the main road and some with gated access. The dwellings form part of the Marlings Park Estate Area of Special Residential Character and are typically set within large and verdant plots. Despite the partial screening provided by established vegetation, the degree of separation between dwellings maintains a spacious character. The pattern of development and spacing between properties, but also the mature

vegetation, all contribute positively to the pleasant, spacious and suburban feel which defines the character of this area.

6. The appeal site comprises a large dwellinghouse with an attached garage which is set within proximity to the boundary shared with Tall Trees. As the garage is a single storey structure with a slopped roof, the retention of a visual gap at first floor between the appeal property and the neighbouring dwelling is clearly evident.
7. The proposed ground floor element would extend to the rear of the property and maintain the existing side gap distance to the boundary shared with Tall Trees. However, and whilst the proposed first floor extension would maintain a separation distance of 1.2 m from the flank side boundary, it would nevertheless result in infilling of the space currently present above the garage. It would therefore greatly reduce the existing gap between the appeal property and Tall Trees, which presently contributes to the spacious character and appearance of the area. Notwithstanding the intervening vegetation, the proposal would appear as a cramped form of development which would detract from the spacious character and appearance of the locality.
8. My attention has been drawn to other properties situated in the area, including Squirrels and Durlins, which extend or have large built forms in proximity to side boundaries. In the absence of further details regarding these particular schemes, I cannot however be certain that they represent a direct parallel to the appeal proposal. Accordingly, very limited weight can be afforded to these examples.
9. In conclusion, the proposal would harmfully erode the spacious character and appearance of the area. Consequently, it would be contrary to Policy 8 of the Bromley Local Plan. For proposals such as two-storey extensions, this policy requires that a minimum 1 metre gap from the side boundary should be maintained in full height and length. The policy also expects a more generous side space to be provided in areas where higher standards of separation already exist.

Other Matters

10. Concerns have been raised by interested parties, notably regarding the effect of the proposal on the living conditions of neighbouring residents. Having regard to the presented evidence and based on my observations, I am however satisfied that the proposed development would not have a significant adverse effect on the living conditions of these residents, having regard to outlook and loss of light. A condition requiring windows to remain obscure glazed could have been imposed to address privacy concerns, had I been minded to recommend the appeal to be allowed.

Conclusion and Recommendation

11. There are no material considerations, which indicate that the appeal should be determined, other than in accordance with the development plan. For the reasons given above, I recommend that the appeal should be dismissed.

A Khan

APPEAL PLANNING OFFICER

Inspector's Decision

12. I have considered all the submitted evidence and my representative's recommendation and on that basis the appeal is dismissed.

S Edwards

INSPECTOR