



Appeal Decision

Site visit made on 9 July 2024 by M Long BA (Hons) MSc MRTPI

Decision by M Russell BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 July 2024

Appeal Ref: APP/G5180/D/24/3344170

61 Craven Road, Orpington, Bromley BR6 7RU

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Michael van Rensburg against the decision of the Council of the London Borough of Bromley.
 - The application Ref is DC/24/00501/FULL6.
 - The development proposed is loft extension with side dormers, ground floor rear side infill, internal alterations, and all associated works.
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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.

Main Issue

3. The main issue is the effect of the proposal on the living conditions of occupiers at 63 Craven Road, with particular regard to outlook and light.

Reasons for the Recommendation

4. The appeal dwelling (No 61) forms a semi-detached pair with 63 Craven Road (No 63). Although different in design, both of these dwellings have rear projections of a similar maximum depth. There is a first-floor window at No 63 which is set back substantially from the deeper elements of these projections (the neighbouring set back window). Consequently, the flank wall of the deeper first-floor projection at No 63 and the sloped side of the appeal dwelling's rear projecting roof sit either side and in close proximity to the neighbouring set back window.
5. As the rear projecting roof at No 61 is angled away from the boundary with No 63, this gives some relief from the built form to the sides of the neighbouring set back window. However, the proposal would increase the depth of the rear projecting roof at No 61 where it sits closest to the shared boundary with No 63. Furthermore, the proposed dormer facing No 63 would substantively span the full depth of this section of roof and would add bulk and vertical emphasis to it. Consequently, the mass, significant depth and close proximity of the extended roof and side dormer would unacceptably enclose the aspect to this side of the neighbouring set back window. In combination with

the first-floor flank wall at No 63, this would be harmful to the quality of outlook for occupiers of No 63.

6. The enclosing impact of the proposal would also have the potential to have notable effects on the levels of daylight and sunlight received by the room served by the neighbouring set back window. There is no detailed evidence before me to demonstrate otherwise.
7. I have a duty to protect the living conditions of both current and any future residents of No 63. Therefore, despite there being no formal objections from the occupiers of any neighbouring properties, this does not mitigate the harm identified above.
8. The appellant suggests that they and the owners of No 63 would by preference extend out equally. However, I cannot be certain that this would occur. As such, I must consider the appeal on the basis of the current circumstances.
9. Furthermore, whilst there are large houses in the wider area, I have reached my findings based on the specific design of the proposal and the relationship with the immediate site-specific surroundings of the appeal dwelling.
10. Overall, the proposal would result in harm to the living conditions of the occupiers of No 63 with particular regard to outlook and light. As such, it would be contrary to Policy 37 (General Design of Development) of the London Borough of Bromley Local Plan (2019) (LP) which expects developments to respect the amenity of occupiers of neighbouring buildings.
11. The Council have mentioned conflict with Policy 6 (Residential Extensions) of the LP, however this primarily focuses on character and appearance and its relevance to the Council's reason for refusal has not been clearly demonstrated. In any case, this does not override the conflict identified with Policy 37 of the LP.

Conclusion and Recommendation

12. The proposed development would be contrary to the development plan. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

M Long

APPEAL PLANNING OFFICER

Inspector's Decision

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

M Russell

INSPECTOR