



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: 4 September 2024

Appeal Ref: APP/G5180/D/24/3344716

7 Woodside Road, Bickley, Bromley BR1 2ES

- 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 Sourabh Singh against the decision of the Council of the London Borough of Bromley.
 - The application Ref is 24/00536/FULL6.
 - The development proposed is a ground floor extension to front, side and rear, additional storey over to create two-storey dwelling plus loft room with rear dormer and rooflight to side and front, elevational alterations.
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Decision

1. The appeal is allowed and planning permission is granted for a ground floor extension to front, side and rear, additional storey over to create two-storey dwelling plus loft room with rear dormer and rooflight to side and front, elevational alterations at 7 Woodside Road, Bickley, Bromley BR1 2ES in accordance with the terms of the application Ref 24/00536/FULL6, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans:

7WoodsideProposedGroundFloorPlanV2 (No 06),
7WoodsideRoadProposedFirst FloorAndLoftPlanV2 (No 07),
7WoodsideRoadProposedRoofPlanV2 (No 08),
7WoodsideRoadProposedNorthAndWestElevationsV1 (No 09),
7WoodsideProposedSouthAndEastElevationsV2 (No 10) and
7WoodsideRoadExistingBlockPlanV2 (No 02).
 - 3) The materials to be used in the construction of the external surfaces of the proposed development hereby permitted shall match those used in the external surfaces of the existing building.
 - 4) The accommodation at the first floor hereby permitted shall not be occupied until the windows in the west and east facing elevations have been fitted with obscure glazing and no part of these windows that is less than 1.8 metres above the ground floor of the room in which it is installed shall be capable of being opened. Once installed, the obscure glazing and restricted means of opening shall be retained thereafter.
 - 5) The accommodation in the loft space hereby permitted shall not be occupied until the rooflights in the east facing roof slope have been fitted with obscure glazing and no part of that window that is less than 1.8 metres

above the ground floor of the room in which it is installed shall be capable of being opened. Once installed the obscure glazing and restricted means of opening shall be retained thereafter.

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.

Procedural Matters

3. I have taken the description of the proposal from the Council's decision notice. This description is also used by the appellant in their appeal statement and is more accurate than the description on the application form.

Main Issue

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

Reasons for the Recommendation

5. Woodside Road is characterised by detached and semi-detached houses that have an eclectic mix of design styles, sizes and layouts. The spacing between houses is also varied and several houses have single-storey side projections sited against shared boundaries. There are some limited instances of high-level flat roofs to dormer extensions that are visible in the street scene. 7 Woodside Road is a detached bungalow with an attached garage to the side. Two-storey dwellings are situated either side of the site at Nos 5 and 9 Woodside Road with an intervening accessway to an electricity substation separating the side boundaries of the appeal site and No 5.
6. The extended dwelling would be of a comparable scale to the neighbouring dwellings at Nos 5 and 9 with its eaves and ridge heights closely aligned with these neighbouring properties. The design would sit comfortably amongst the mixed styles on Woodside Road with the hipped main roof corresponding with the traditional roof forms to either side. The two-storey flat roofed element, whilst less reflective would have a discreet presence due to its narrow width and position set back from the front elevation and behind the single storey front projection. To that extent it would be unobtrusive and would generally accord with Paragraph 2.1.65 of the Supporting Text to Policy 6 (Residential Extensions) of the London Borough of Bromley Local Plan (2019) (LP).
7. Policy 8 (Side Space) of the LP sets out that, in relation to extensions, the Council will normally require that for a proposal of two or more storeys in height, a minimum of 1 metre space from the side boundary of the site should be retained for the full height and length of the building. The word 'normally' acknowledges that there will be development schemes where a 1 metre (m) space may not be required. The evidence before me indicates that the first-floor element of the proposal would fall marginally below the normally required distance at approximately 0.9m. In any case, the gap would still be comparable to the space between the boundary and the dwelling at No 9. This together with the step from a flat roof to a hip, would ensure that the development would not appear unduly cramped or uncharacteristic amongst the varied spacing on Woodside Road.

8. Furthermore, noting the position of the existing side garage, and other single-storey projections that are close to shared boundaries along Woodside Road, the proposed siting of the ground floor side extension would not appear out of character within this context. The extended dwelling would also be visually distinguished from No 9 through its use of differing external materials and architectural design style.
9. I conclude, the proposal would have adequate separation from No 9 and would reflect the spatial standards in the area. Therefore, not meeting the normally required 1m space from the side boundary would not in this instance prevent the proposal from meeting the general intentions of Policy 8, most particularly to prevent a cramped appearance and terracing effect from occurring, and to protect spatial standards and visual amenity as set out in the supporting text to this policy.
10. I conclude that the proposal would have an acceptable effect on the character and appearance of the area. In that regard, it would accord with the requirements in Policies 6 (Residential Extensions) and 37 (General Design of Development) of the LP for the scale, proportion, form layout and materials to respect or complement those of the host dwelling and be compatible with development in the surrounding areas and for the reasons set out any conflict with Policy 8 of the LP would not be harmful in this instance. It would also accord with Policy D3 (Optimising site capacity through the design-led approach) of The London Plan (2021) which sets out that development proposals should respond to the existing character of a place.
11. For the same reasons, the proposal would also generally accord with the guidance in the Urban Design Guide Supplementary Planning Document (2023).

Other Matters

12. In terms of concerns raised regarding the relationships with neighbouring properties, the new extension would bring the side elevation of the dwelling closer to No 9. Even so the dwellings are close already and there is an existing tall boundary treatment as well as the garage at No 7 which already sit along the shared boundary. The closest element of the extensions to this boundary would be single storey and comparable in height to these existing features. The nearest first floor element would be stepped away with a flat roof thereby retaining suitable space above eaves level. There is no detailed evidence before me to suggest that there would be any harmful effects on levels of outlook or light experienced by the occupiers of No 9 when these factors are taken into account.
13. The front and rear facing windows, including that within the proposed rear dormer, would face over rear gardens where some mutual overlooking would not be unexpected within the residential setting of the street. With regards to the roof light windows and first floor windows proposed to the side elevations, the use of obscure glazing and opening restrictions would satisfactorily address any potential effects on privacy. There is also nothing to suggest that the closer position of windows to the boundary with No 9 would result in a material increase in noise beyond that which could usually be expected within a residential area.

14. The extended appeal dwelling would remain similarly set away from No 5 and the rear amenity space serving this neighbouring dwelling. Moreover, given the relative angles and the overall degree of separation maintained by the intervening accessway to the electricity substation, there would be no materially harmful effects on levels of light and outlook experienced by occupiers of this neighbouring dwelling. There is also no objective evidence before me to suggest that the proposal would materially increase the risk of fire spreading to neighbouring properties.
15. The above factors indicate that there would be adequate separation to safeguard the privacy and amenity of adjoining residents, and this is another reason why any conflict with the requirements of Policy 8 (Side Space) of the LP would not be harmful in this instance. I also note that the Council did not refuse planning permission on the grounds of any effect on the living conditions of neighbouring occupiers. Having considered the Council's observations in this respect within its officer report together with my own findings, there is no compelling reason for me to reach an alternative view on these matters.
16. Whether or not a Party Wall Notice would need to be served in respect of the neighbouring substation, and the advice provided by the statutory provider responsible for the substation, are matters outside the remit of this appeal and are for the appellant to consider and address if necessary.

Conditions

17. In addition to the standard time period for commencement, I recommend a condition to require that the development be carried out in accordance with the approved plans, which is necessary in the interests of certainty. I recommend that matching external materials are used to ensure that the extended dwelling has a composite appearance and positively relates to the character and appearance of the wider street scene.
18. I recommend conditions to ensure that the proposed secondary windows on side elevations and side facing roof light windows are obscure glazed and have restricted means of opening. I agree with the comments made on the Council's appeal questionnaire that these conditions are reasonable and necessary to safeguard the privacy of occupiers at the neighbouring properties.

Conclusion and Recommendation

19. The proposed development would accord with the development plan. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be allowed.

M Long

APPEAL PLANNING OFFICER

Inspector's Decision

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

M Russell

INSPECTOR