



Appeal Decision

Site visit made on 17 September 2024 by E Street BSc (Hons)

Decision by John Morrison BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 OCTOBER 2024

Appeal Ref: APP/G5180/D/24/3347959

117 Albemarle Road, Beckenham, Bromley BR3 5HS

- 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 Dr Gabriel O Ighodaro against the decision of the Council of the London Borough of Bromley.
 - The application Ref is DC/24/00895/FULL6.
 - The development proposed is described as "erection of a small additional single-storey rear extension, erection of two-storey side extension and dormer roof plus 4 velux".
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Decision

1. The appeal is allowed, and planning permission is granted for development described as "erection of a small additional single-storey rear extension, erection of two-storey side extension and dormer roof plus 4 velux" at 117 Albemarle Road, Beckenham, Bromley BR3 5HS in accordance with the terms of the application, Ref DC/24/00895/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: PP-12869932v, AR-001, AR-002, AR-003
 - 3) The external materials of the development hereby permitted shall match those used in the existing dwelling.

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 Matters and Main Issue

3. The Council do not object to the rear extension, the dormer or the velux windows. I have no reason to disagree with their conclusions. My recommendation therefore focusses on the two-storey side extension and, specifically, its effect on the character and appearance of the area.

Reasons for the Recommendation

4. The appeal site is within a set of five dwellings which are all detached and of a similar form. They are set-back from the road with well-established planting surrounding them. The large forward-facing gables are a defining feature. The wider street scene is defined by detached dwellings of varying scales and

separation gaps with views of mature planting. The Council refer to other interventions on the ground floor that are relatively subservient which add to the context of the scheme before me. All features mentioned contribute to the originality and consistency of the area and have a positive influence on its character and appearance.

5. The two-storey side extension would be seen from the street; however, its overall effect would be limited by virtue of the spaciousness to the front of the property and the subservient design. It would therefore not be seen as an overdevelopment to the unit. There is some minor variation in the consistency of the design of the properties. However, due to the varied gable positioning and the existing single storey extension, the view of the proposal on the alternate side to the gable would not be seen an incongruous addition.
6. Policy 8 of the Bromley Local Plan 2019 (LP) seeks for side spaces to be retained by a minimum of one metre from the side boundary when two or more storeys in height. The appeal proposal is to fully abut the boundary with no set in on the second storey. However, as there is an existing ground floor side extension abutting the boundary, the impact of the second storey would not be felt as obviously or harshly and, importantly, wouldn't bring the overall building materially closer nor increase the overall footprint. In any event, the general gaps between properties are varied and the increased built form wouldn't significantly impact the spaciousness of the gaps.
7. With these matters in mind, and notwithstanding the technical conflict with Policy 8, the proposal would not cause harm to the character and appearance of the area. It would therefore comply with Policies 6 and 37 of the LP, Policy D3 of the London Plan 2021 and the Bromley Urban Design Guide Supplementary Planning Document which together seek to ensure that development proposals are of a high-quality design and standard, amongst other things.

Other Matters

8. The Council have noted that there has been a previous refusal on the site for a change of use along with alluding to concerns that the resultant dwelling would not be indicative of a typical large family dwelling. However, this doesn't translate to a reason for refusal and the officer's report doesn't give substantive evidence in support. The appellant has also not responded to this issue within their statement. In any event, should the appellant wish to change the use following the granting of permission, this would be subject to a separate planning assessment. I have, in any case, assessed the appeal scheme in the context of the character and appearance of the area and found that there would not be any adverse effects.

Conditions

9. The standard time limit condition and reference to the approved plans is necessary for enforcement purposes. In addition, it is necessary to ensure that the materials used are to match the host dwelling to be in keeping with the area. The Council have not recommended any additional conditions and I have not deemed any others to be necessary.

Conclusion and Recommendation

10. The appeal scheme would conflict with Policy 8 but, for the reasons I have given, this would not be as a result of demonstrable harm. It would comply with the development plan taken as a whole and there is nothing sufficiently compelling to lead me to conclude otherwise. I therefore recommend that the appeal is allowed, subject to the conditions set out.

E Street

APPEAL PLANNING OFFICER

Inspector's Decision

11. I have considered all the submitted evidence and my representative's report and on that basis the appeal is allowed, and planning permission is granted, subject to the conditions set out above.

John Morrison

INSPECTOR