



Appeal Decision

Site visit made on 29 October 2024 by M Jones

Decision by L McKay MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 09 DECEMBER 2024

Appeal Ref: APP/G5180/D/24/3347857

80 Scotts Lane, Shortlands, Bromley BR2 0LX

- 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 Christopher Hudson against the decision of the Council of the London Borough of Bromley.
 - The application Ref is DC/24/00716/FULL6.
 - The development proposed is: rear extension, changes to front porch to be made enclosed; including sliding glazing doors and side panels. New exterior fencing to front and side elevations.
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Decision

1. The appeal is allowed and planning permission is granted for rear extension, changes to front porch to be made enclosed; including sliding glazing doors and side panels. New exterior fencing to front and side elevations at 80 Scotts Lane, Shortlands, Bromley BR2 0LX in accordance with the terms of the application, Ref DC/24/00716/FULL6, and the plans submitted with it, 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 external materials of the rear and side extension and the bricks used in the new wall to be built on the front and side elevations hereby permitted shall match those used in the existing dwelling.
 - 3) The development hereby permitted shall be carried out in accordance with the following approved plans: SL-R00-PR-100; SL-R00-PR-101; SL-R00-PR-102; SL-R00-PR-103; SL-R00-PR-104; SL-R00-PR-105; SL-R00-PR-106; SL-R00-PR-107; SL-R00-PR-108.

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 Issues

3. The main issues are the effect of the development on the character and appearance of the host property and local area and on the living conditions of the occupiers of 82 Scotts Lane, with particular regard to outlook.

Reasons for the Recommendation

Character and appearance

4. The appeal property is a substantial two-storey detached house with a front dormer. The property has a large rear garden bordered by a combination of wooden fencing and tall hedges on both sides. The appeal property is set back from Scotts Lane, which is a wide, tree-lined and quiet residential street. The spacing between the houses on the street is generally consistent and ordered which gives the street scene a pleasant and spacious feel and sense of rhythm.

Side/rear extension

5. Given the considerable footprint of the property and large rear garden, the proposed side and rear extension would not be disproportionate in size to the rest of the property and would remain subservient.
6. Further, it is apparent that a large number of the properties on the street are also of a considerable size including the immediate neighbour to the right, 78 Scotts Lane, which is substantially larger than the appeal property. As a result, the proposed side and rear extension would not introduce an incongruous form of development in the street scene. This extension would also respect the development form of the host dwelling and surrounding area, particularly since it would not be visible from the street.

Boundary treatment

7. The proposed boundary treatment to the front and side elevations of the property involves replacing the existing wooden fencing to the sides of the boundary and a relatively tall hedge at the front with a low brick wall with metal fencing on top and two metal gates. From visiting the site and local area, it is apparent that properties on Scotts Lane and surrounding streets do not have consistent boundary treatments and there are examples similar to the proposed boundary treatment in terms of height, style and materials used. Consequently, the proposed boundary treatment would not be of excessive height or scale relative to the existing boundary treatments in the local area and so would not introduce an overly dominant addition to the street scene and would be compatible with development in the area.

Front porch

8. In line with the Council's assessment, I find that the proposed alterations to front porch would be minor, and therefore would not detrimentally impact the appearance of the host property nor the character of the surrounding area.
9. For these reasons, overall, the proposed development would not detrimentally impact the character and appearance of the host property or local area. Therefore, it would comply with Policy D3 of the London Plan (2021) and Policies 6 and 37 of the Bromley Local Plan (2019) which together require development to achieve a high standard of design and to complement and respect character, form and proportions in the local area.
10. Further, the proposed development will comply with Policy DG5 of the Urban Design Guide SPD (2023) which requires that development reflects and responds to the prevailing rhythm, scale, proportion and detailing of existing buildings in the local area.

Living conditions

11. The rear wall of the neighbouring property at 82 Scotts Lane does not extend as far back as the existing rear wall of the appeal property, such that the two-storey part of No 80 already projects well past the rear of No 82. The existing boundary between the appeal property and No 82 is made up of wooden panel fencing and evergreen vegetation which protrudes above the fence line and sits within the garden of No 82. Consequently, the outlook from No 82 in the direction of the appeal site is already restricted.
12. The proposed rear and side extension would further project by approximately 4 metres but would only be single storey in height. The height and extent of the existing fence and vegetation means that much of the proposed extension would be screened from view from No 82. Even if the vegetation were removed the extension would only result in a modest protrusion above the existing fence. Consequently, the proposed rear and side extension would not result in an unacceptable overbearing impact or harmful loss of outlook to the current or future occupants of No 82.
13. For these reasons the proposed development will comply with Policy D3 of the London Plan and Policy 37 of the Bromley Local Plan insofar as they require development to respect the amenity of neighbours.

Conditions

14. I recommend the standard time period for commencement of the development condition in the interests of expediency. I also recommend a condition requiring the development to accord with the approved plans as this provides certainty. I further recommend a condition requiring use of matching materials to ensure an appropriate appearance for the development taking into account the character and appearance of the local area.
15. I note that the Council's Highways Officers raised no technical objections to the proposed development but did request that a car parking condition be added. Given that there is already sufficient car parking on site and the scheme does not involve the removal of any existing car parking spaces I do not consider this condition is necessary.

Conclusion and Recommendation

16. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be allowed subject to conditions.

M Jones

APPEAL PLANNING OFFICER

Inspector's Decision

17. I have considered all the submitted evidence and my representative's report and agree with the reasoning and recommendation. On that basis the appeal is allowed subject to the conditions listed.

L McKay

INSPECTOR