



Appeal Decision

Site visit made on 04 December 2024

by Nicola Davies BA DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 December 2024

Appeal Ref: APP/G5180/D/24/3353236

13 Sandy Bury, Orpington, Bromley BR6 9SD

- 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 Rana against the decision of the London Borough of Bromley.
 - The application Ref is DC/24/01923/FULL6.
 - The development proposed is the erection of an upper ground floor front extension.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of an upper ground floor front extension at 13 Sandy Bury, Orpington, Bromley BR6 9SD in accordance with the terms of the application, Ref DC/24/01923/FULL6, subject to the following condition: -
 - 1) The development hereby permitted shall be retained in accordance with the application plans, drawings and documents herein approved, those plans being LP; BP; P02; P03; P04 and P05.

Preliminary Matters

2. The planning application form indicates that the development has already taken place and I was able to view the extension at the time of my visit.
3. A revised version of the National Planning Policy Framework has been published since the planning application was determined by the Council. I have had regard to the revised Framework in reaching my decision.

Main Issue

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

Reasons

5. There is a history of planning applications, appeals and lawful development certificates at this site. A previous Inspector found that a dwelling of 'L' shaped design with two dual pitched rooflines projecting in front of the prevailing front building line of Nos 15 and 17 Sandy Bury with its significant stagger in the alignment of its front elevation, would sit awkwardly within the surrounding pattern of development. It was also found that the roof form would jar with that of the surrounding development. There were also concerns that the development would appear cramped within the site. That Inspector found that

that development would be out of character with the predominant aesthetic of the area.

6. This proposal before me is similar in that it proposes an upper ground floor projection beyond the front building line of Nos 15 and 17. However, unlike the previous proposal, the footprint of the extension aligns with the north west flank of the dwelling. It is smaller in depth and size to that of the previous L-shaped development. Furthermore, it has a different roof form that is lower in height to that of the existing dwelling with the roof extending from the pitch of the roof of the dwelling with matching eaves height. The form of the roof is more in keeping with the surrounding roofscapes than that of the previously appealed proposal. There is also separation between the extension and the side boundary.
7. Further to the above, the upper ground floor projection, when viewed from Sandy Bury, is situated behind a tall fence. It has the appearance of a single storey extension within the street scene. Whilst the upper part of the addition is visible within the street scene and projects beyond Nos 15 and 17 the development does not create a substantially dominant or significantly visually jarring form of development or appear unduly cramped.
8. I acknowledge that the existing development within the surrounding area generally does not host front extensions. However, the overall design, scale, positioning and appearance of the upper floor front extension is not so visually intrusive within the street scene as to represent a development substantially out of keeping or that would appear awkward within its context. I, therefore, do not find the development to be visually harmful.
9. For these reasons, I conclude that the proposed development would not harm the character and appearance of the area. As such, the proposed development would comply with Policies D1 and D3 of the London Plan and Policies 4 and 37 of the Bromley Local Plan. These policies seek, amongst other matters, development, including extensions to existing buildings, to be of high-quality design and to positively contribute to the existing street scene.

Other Matters

10. Interested parties raise parking concerns noting the gates are not sliding gates. The proposal involves the demolition of the existing garage and erection of a replacement garage. There would be spaces on the front drive for parking, therefore the Council indicate that there would be sufficient on-site parking. The Council considers the proposal would not result in additional pressure for on-street parking or impact detrimentally on highway safety. On the evidence available to me I have no substantive reason that might lead me to a different view on this matter.
11. It has been suggested that an extension at the front of the house has already been built without the benefit of planning permission. There is a planning permission in place that included a single-storey forward projecting element at lower ground level. The appellant indicates that the upper floor extension has been built over the lower ground floor projection. The Council has accepted the planning application that is now the subject of this appeal to which the ground floor development hosts. I am not led to consider the ground floor development to be unlawful on the evidence available to me.

Conditions

12. The development has already taken place, therefore there is no requirement to impose a timeframe for completion of the development condition. However, in the interests of certainty it is appropriate that there is a condition requiring the development be retained in accordance with the approved plans.

Conclusion

13. For the reasons set out above, and subject to the condition listed, this appeal should be allowed.

Nicola Davies

INSPECTOR