
Appeal Decision

Site visit made on 29 January 2025

by M Ollerenshaw BSc(Hons) MTPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 07 FEBRUARY 2025

Appeal Ref: APP/G5180/W/24/3349046

28A Mottingham Road, Mottingham, Bromley, London, SE9 4QW

- 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 Erhan Ozkan against the decision of the Council of the London Borough of Bromley.
 - The application Ref is DC/24/01389/FULL1.
 - The development proposed is erection of a double storey side extension, single storey rear extension and mansard roof conversion to create 3 x self contained flats.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The revised National Planning Policy Framework (the Framework) was published in December 2024. This does not raise any matters that require me to seek representations from the main parties in this case.

Main Issues

3. The main issues are the effect of the proposal on the character and appearance of the property and the area; the effect on the living conditions of the neighbouring occupiers of 30 Mottingham Road, with regard to outlook and light; and whether the proposal would make satisfactory provision for refuse and recycling storage.

Reasons

Character and appearance

4. The appeal site relates to a two storey end terraced property on Mottingham Road, close to the junction with Devonshire Road and adjacent to a supermarket. The property incorporates a ground floor commercial use with a flat above. It has a dual pitched roof with a prominent gable end and a two storey outrigger and single storey extension at the rear. The site is enclosed by fencing and includes a rear yard which is accessed from Devonshire Road and a side passage where a door provides access to the flat. The surrounding area is of mixed character with residential properties and a variety of commercial premises on Mottingham Road. Building sizes and styles vary, ranging from two and three storey terraces which are characterised by pitched roofs and gable ends, to more recently built commercial units, such as the adjacent supermarket.
5. The proposal includes a mansard roof extension featuring a large flat roof. I note that there is some variety in roof forms in the area, including flat roofs. However, the

gable ends at either end of the terrace of which the appeal property forms part are a characteristic feature which result in a harmonious roof profile, even though the roof of the property rises slightly above the rest of the terrace.

6. The proposed roof extension would extend across the rear roof slope of the existing building and the new side extension and would be a substantial addition to the roof. It would not reflect the traditional gable roof design of the existing building or the terrace and would increase the building's scale and massing. The result would be an excessively bulky addition which would be out of proportion to the host property and the terrace and be highly visible due to the exposed gable end of the property. The proposal would therefore detract from the street scene, particularly when viewed from the northwest along Mottingham Road.
7. The proposed extensions to the side and rear of the property would leave little external space around it, resulting in a cramped appearance relative to the site. That said, the gap between the property and the supermarket would maintain a sense of spaciousness, and the site coverage of the proposal would not be dissimilar to nearby terraces, the gable ends of which often extend up to the pavement edge.
8. Notwithstanding this, I conclude that the proposed roof extension would be incongruous. Therefore, the proposal would be harmful to the character and appearance of the property and the surrounding area, in conflict with Policies D3 and D6 of the London Plan (2021) and Policies 4 and 37 of the Bromley Local Plan (2019) (Local Plan). Among other things, these policies require development to be of a high standard of design and layout while enhancing the quality of local places.

Living conditions

9. The attached neighbouring property, 30 Mottingham Road, lies to the south side of the appeal site. There are windows to the rear elevation of the neighbouring property and also within the rear and side facing elevations of the rear outrigger. The neighbour's rear garden and patio adjoin the site.
10. Given the position and orientation of the windows at the rear of No 30, it is unlikely that these would be significantly affected by the proposed rear extension. However, the extension would project a substantial distance from the rear and extend up to the boundary with the neighbour's garden. It would project well above the existing boundary fence between the properties, and due to its depth and proximity would appear as an imposing feature when viewed from the neighbour's garden. This would reduce the neighbour's outlook and create an undue sense of enclosure, and likely also reduced daylight and sunlight in the garden. I accept that the appeal property, as existing, already affects the amount of light to the neighbour's rear garden, but the impact would be increased due to the depth of the extension.
11. I conclude that the proposal would adversely affect the living conditions of the neighbouring occupiers in terms of outlook and light. It would therefore conflict with London Plan Policy D6 and Local Plan Policy 37 which, among other things, require all new housing developments to achieve a high standard of design which respects the amenity of existing and future occupants of neighbouring buildings.

Refuse and recycling storage

12. The proposed plans indicate bin storage within the communal lobby of the proposed side extension. This would be an enclosed space where the lack of ventilation could

result in issues around odour nuisance and health concerns, particularly given the position of the store adjacent to the entrance of Flat A. Moreover, the details provided do not demonstrate that there would be sufficient space to leave bins out at the front of the building for emptying on collection days, without impeding access to the appeal building, the supermarket car park and pedestrian movements along the public footpath, with implications for highway and pedestrian safety.

13. A communal cycle store is proposed at the rear of the site. This would be accessible via the communal access from Devonshire Road. While there also appears to be space here for refuse and recycling storage, substantive details have not been provided to demonstrate such arrangements would be acceptable given that bins placed here on collection days could obstruct the rear access and the footpath on Devonshire Road. I am not satisfied that this matter could be resolved by way of a planning condition. Therefore, the proposal would conflict with London Plan Policies D3, D6 and T4 and Local Plan Policies 4, 32 and 37, which require high quality development with waste storage facilities, and transport impacts to be mitigated.

Planning Balance

14. The Council cannot demonstrate a five year housing land supply, with the figures provided by the Council indicating a significant shortfall in this respect. I attach considerable weight to the lack of housing supply. The presumption in favour of sustainable development set out in Framework paragraph 11(d) is therefore engaged and permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole.
15. The proposed development would contribute towards addressing the housing under delivery in the borough, while also making efficient use of the site. It would create employment opportunities during the construction phase and future occupiers would provide support to local services and the community. Given the scale of the development I attach only limited weight to these benefits. The proposal would provide acceptable internal living conditions for future occupiers, who would have access to services and public transport, and it would not increase flood risk. However, these are neutral factors, rather than benefits, in the planning balance.
16. The proposal would harm the character and appearance of the property and the area. The Framework states that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. The proposal would not achieve this and would also harm the neighbours' living conditions and fail to provide adequate refuse and recycling storage facilities. Therefore, in the overall balance, the adverse impacts of the proposal would significantly and demonstrably outweigh the benefits.

Conclusion

17. For the above reasons, I conclude that the proposal would conflict with the development plan as a whole, and there are no other considerations, including the provisions of the Framework, that indicate a decision other than in accordance with this. Therefore, the appeal should be dismissed.

M Ollerenshaw

INSPECTOR