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# Appeal Decision

Site visit made on 5 May 2016

**by C J Leigh BSc(Hons) MPhil MRTPI**

**an Inspector appointed by the Secretary of State for Communities and Local Government**

**Decision date: 17 May 2016**

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**Appeal Ref: APP/G5180/D/16/3142959**  
**30 Stirling Drive, Orpington, Kent, BR6 9DN**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Mr John Michael against the decision of the Council of the London Borough of Bromley.
  - The application Ref DC/15/04242/FULL6, dated 29 September 2015, was refused by notice dated 7 December 2015.
  - The development proposed is a single storey front extension, part 1/part 2 storey side extension.
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## Preliminary matters

1. Planning permission was granted in August 2014 for a part one/two storey front/side extension (ref DC/14/02589/FULL6, and the subject of a subsequent amendment). Work has been undertaken pursuant to that permission, but not in accordance with the approved drawings. The proposals the subject of this appeal seeks permission for the work undertaken on site.

## Decision

2. The appeal is dismissed.

## Main issues

3. The main issues in this appeal are the effect of the proposed development on, firstly, the living conditions of the adjoining occupiers and, secondly, the character and appearance of the surrounding area.

## Reasons

### *Living conditions*

4. The approved drawings showed the side extension to have a stepped-in form at the rear at first floor, to provide separation from the boundary of the property that lies to the south east: 11 Knights Ridge. The extension has been built without that step-in, and that is shown in the refused drawings the subject of this appeal,
  5. I viewed the appeal property from 11 Knights Ridge and I saw that the result of this change from the approved scheme is a building mass that is over-dominant to the outlook. The proximity of the first floor of the extension leads
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to an unduly oppressive feeling from the neighbouring garden and house. The retained distance between the extension at 30 Stirling Drive and the house of 11 Knights Ridge is not sufficient to mitigate this overbearing proximity. This materially harms the living conditions of the occupiers of that property.

6. The works to the property that have been undertaken also include a pitched roof to the single storey side extension that was permitted by the 2014 permission. This has led to a notable increase in building mass when viewed from 11 Knights Ridge, which is particularly appreciable within the garden to that property due to the long length of this element of the extension adjoining much of the boundary. This leads to an over-dominant impression upon No 11 and, when combined with the first floor element of the works to the appeal property, compounds the harm to outlook from No. 11. I note the comments from the appellant regarding permitted development rights that might occur for single storey extensions, but I must appraise the circumstances on the site as they exist and it is the combination of the single storey pitched-roof element when combined with the two storey addition that leads to the further oppressive impact upon the neighbour.
7. I am satisfied the windows in the extension do not lead to any loss of privacy, due to the use of those windows and the oblique angle of view. However, for the reasons given above the development the subject of this appeal leads to material harm to the outlook from 11 Knights Ridge. This is contrary to the objectives of saved Policies BE1 and H8 of the London Borough of Bromley Unitary Development Plan (UDP) which, amongst other matters, require new development to respect the amenity of neighbouring buildings and their occupiers.

#### *Character and appearance*

8. The side extension that was approved in 2014 showed the ridge line to be set down from the existing main roofline to the house, but the extension as built continues the same ridgeline. The works have also seen the front elevation project slightly further forward than in the permitted scheme.
9. I saw at my site visit that the appeal property is not an exact mirror of the neighbouring house to which it is attached, with the frontage being set further forward than the neighbour; the approved scheme would have not led to a balance between the houses. I also saw at my site visit that there is some variety in the design of housing in the area, which also includes front gables and differences in the treatment of roofs.
10. In the context of the surrounding area and the 2014 permission, the design of the extensions as built does not harm the character of the host property or the surrounding area. The extended house appears well-proportioned when seen from the street and of a good design. There is sufficient space retained at first floor level to prevent any cramped appearance to the house.
11. The development therefore does not conflict with the objectives of saved Policies BE1, H8 and H9 of the UDP, insofar as they seek to ensure all development is of a high standard of design and does not detract from the street scene and surrounding area.

*Conclusions*

12. Although I have found in favour of the development on the second issue, it is my overall conclusion that the harm arising in relation to the first issue, and the consequential conflict with the development plan, is sufficient to outweigh other findings. For the reasons given, and having regard to all other matters raised, the appeal is therefore dismissed.

*C J Leigh*

INSPECTOR