
Appeal Decision

Site visit made on 8 August 2016

by **David Reed BSc DipTP DMS MRTPI**

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

Decision date: 5 September 2016

Appeal Ref: APP/G5180/D/16/3152803

100 Imperial Way, Chislehurst, Kent BR7 6JR

- 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 Ian Hamer against the decision of the Council of the London Borough of Bromley.
 - The application Ref DC/16/01502/FULL6, dated 23 March 2016, was refused by notice dated 19 May 2016.
 - The development proposed is a part single/part two storey rear extension and a part single/part two storey side extension.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:

- the effect of the proposal on the character and appearance of the area; and
- the effect of the proposal on the living conditions of the occupiers of No 98 Imperial Way in relation to outlook.

Reasons

Character and appearance

3. No 100 is an end terrace house on the north eastern side of Imperial Way, an established residential area comprising two storey terraced and semi-detached houses. The proposal is for a part one storey/part two storey extension wrapping round the rear corner and across the back of the property.
4. The area is characterised by wide side gaps between properties, and in addition, the gap between Nos 100 and 102 increases to the rear as the two houses are angled towards each other facing the road. As such, the proposed side extension would be set well back from the front elevation of the property and would also be partly screened by the unusual flat roofed single-storey link building between the two houses. As a result, when seen from the road, the proposed side extension would only project discreetly into the gap and would not appear cramped or prominent in the street scene. Although the Council's policy to maintain a minimum 1 m gap between a two storey extension and the side boundary would be slightly infringed, the objective of the policy, to prevent a terracing effect, would not be prejudiced.

5. However, seen from the rear the proposed extension, in particular the large two-storey element with its flat topped roof, would appear excessively bulky and visually intrusive in relation to the host dwelling and alongside the adjacent properties which have not been extended. The hipped roofs would not fully mitigate this impact. Although there are no public views from this direction the extension would be seen from numerous rear gardens and therefore it would appear out of character with its surroundings.
6. For this reason the proposal would significantly harm the character and appearance of the area in conflict with Policies BE1 and H8 of the Bromley Unitary Development Plan 2006 (the UDP). These require new development to complement the scale, form and layout of adjacent buildings and for the scale and form of proposals to enlarge residential properties to respect the host dwelling and be compatible with development in the surrounding area.

Living conditions

7. The proposed rear extension would project about 3.5 m from the rear elevation of No 100. The single storey section would run alongside the common boundary with No 98 whilst the two storey section would be set back from the common boundary by only about 2.2 m. In addition, the single storey section would not have a flat roof but would be pitched up to the sill of the first floor window above, increasing the height of the wall along the common boundary.
8. The combination of the flank walls of the single and two storey extensions in such close proximity to No 98 would have an unduly overbearing and dominant impact on the outlook from the nearby rear facing windows of the property and from the amenity space immediately behind the house.
9. For this reason the proposal would significantly harm the living conditions of the occupiers of No 98 Imperial Way in relation to outlook, contrary to Policy BE1 of the UDP. This requires new development to respect the amenity of occupiers of neighbouring buildings and ensure their environments are not harmed by overshadowing.

Other matters

10. The benefits of additional living accommodation are appreciated and neither of the adjacent occupiers have objected, but these factors do not outweigh the concerns identified above. An unattractive side dormer is not the only alternative option. Finally, a side extension at No 88 Imperial Way was approved on appeal in 2011¹, but this did not involve a two storey rear extension or a single storey rear extension immediately adjacent to the neighbouring property.

Conclusion

11. Having regard to the above the appeal should be dismissed.

David Reed

INSPECTOR

¹ APP/G5180/D/11/2147236