
Appeal Decision

Site visit made on 6 September 2016

by Timothy C King BA(Hons) MRTPI

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

Decision date: 19 September 2016

Appeal Ref: APP/G5180/D/16/3154003

Eaglehurst, Bickley Park Road, Bickley, Bromley, BR1 2BE

- 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 P Eagles against the decision of the Council of the London Borough of Bromley.
 - The application Ref DC/16/01457/FULL6, dated 23 March 2016, was refused by notice dated 2 June 2016.
 - The development proposed is '*Two storey flank extension together with galleries entrance lobby and first floor flank extension together with internal alterations and façade changed.*'
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Decision

1. The appeal is dismissed.

Procedural Matter

2. In accordance with a prior request, following my site visit I viewed the appeal site from the side gate of No 12 Alpine Copse which lies to the north west of the appeal site; the two properties sharing a common boundary. However, this did not affect my conclusions.

Main Issues

3. The Council has only raised concerns relating to the two-storey extension proposed on the dwelling's south western flank wall, not the proposed first floor extension behind the garage, the intended roof alterations thereto, nor the proposed side dormer extension. I agree with this approach and, as such, the main issues in this appeal are:
 - i) the effect of the proposed two storey side extension on the character and appearance of the surrounding area, with particular regard to the site's location within the Bickley Area of Residential Character; and
 - ii) the effect of the proposed two storey side extension on the living conditions of neighbouring occupiers, with particular regard to those at No 12 Alpine Copse.
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Reasons

Character and appearance

4. The appeal property comprises a two-storey, post-war dwelling with an assymetrical roof form, characteristic of its time. The dwelling is set back from the front footway boundary and the land rises sharply south westwards along Bickley Park Road. This means that the flat, side curtilage area towards the common boundary with Kenedon, which has heavy, coniferous vegetation screening the appeal site, is significantly raised from the dwelling's facing flank wall. Set atop a shrubbery bank this piece of land is accessed via steps from the lawned rear garden. The proposed two-storey side extension would be built on this strip of land.
5. The site lies within the locally designated, Bickley Area of Special Residential Character (BASRC) which, along with other identified ASRCs within the borough, the Council considers is vulnerable to unsympathetic development threatening the area's established character and residential amenity. Policy H10 of the Council's Unitary Development Plan (UDP) advises that development in ASRCs will be required to respect and complement the established and individual qualities of these areas and outlines the general approach to be taken when designing new development therein.
6. One such requirement of UDP Policy H10 is that the general height of existing buildings in the area shall not be exceeded. In this particular instance, due to the lie of the land, the central ridgeline of the side extension would be to a significantly greater height than that of the host dwelling and this would make for a noticeable awkward juxtaposition. The extension is also in two distinct sections with a narrow two-storey front projection sitting ahead of the main part of the development, overlain by a gabled roof to reflect the arrangement behind. However, I consider that this rather fragmented appearance, along with the height increase and the resultant bulky form, would make for a somewhat disparate and insubordinate form of development, distorting the architectural integrity of the existing dwelling. This would be contrary to the recognised aims of protecting the BASRC from unsympathetic development of which I consider the proposal to be a case in point.
7. On the first main issue I conclude that the proposal would be harmful to the character and appearance of the surrounding area, and this would materially conflict with the aims and requirements of UDP Policies H10, BE1 and H8; the latter two also promoting good design appropriate to the particular contextual setting.

Living conditions

8. UDP Policy BE1 requires that development proposals should respect the amenities of occupiers of neighbouring buildings so as to ensure that their environments are not harmed by, amongst other things, privacy issues.
9. Both the appeal property and No 12 Alpine Copse, behind, do not enjoy particularly deep rear gardens and, in terms of potential overlooking, I consider that the elevated level of the proposed extension would be compounded by the expanse of clear glazing lighting the proposed 'Master Suite'. In the circumstances it is likely that the proposed physical arrangement would make

the rear garden of No 12 vulnerable to being overlooked by persons looking out from this rear facing room at first floor level.

10. On the second main issue I conclude that the proposal would likely be harmful to the living conditions of neighbouring occupiers, conflicting with the aims and requirements of UDP Policy BE1.

Conclusion

11. I have found that harm would result on both main issues, and this is compelling. For the above reasons, and having had regard to all matters raised, the appeal does not succeed.

Timothy C King

INSPECTOR