

Appeal Decision

Site visit made on 15 November 2016

by Geoff Underwood BA(Hons) PGDip(Urb Cons) MRTPI IHBC

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

Decision date: 29 November 2016

Appeal Ref: APP/G5180/D/16/3155538

6 Lawn Close, Bromley, BR1 3NA

- 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 Raymond Duncan against the decision of the Council of the London Borough of Bromley.
 - The application Ref DC/16/01247/FULL6, dated 13 March 2016, was refused by notice dated 9 May 2016.
 - The development proposed is erection of single storey front and rear extension. Replacement of existing roof structure, loft conversion and erection of rear dormer extension.
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Decision

1. The appeal is dismissed insofar as it relates to the erection of a single storey front extension.
2. The appeal is allowed insofar as it relates to the proposed roof alterations and rear dormer and extension, and planning permission is granted for erection of single storey rear extension, replacement of existing roof structure, loft conversion and erection of rear dormer extension at 6 Lawn Close, Bromley, BR1 3NA in accordance with the terms of the application, Ref DC/16/01247/FULL6, dated 13 March 2016 so far as relevant to that part of the development hereby permitted and subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Ref P2/9063/01 and P2/9062/02 except in respect of the front extension shown on plan P2/9062/02.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Main Issues

3. The main issues raised by this appeal are the effect of the proposal would have on the character and appearance of the area and on the living conditions of occupiers of neighbouring properties.
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Reasons

Character and appearance – front extension

4. The group of detached houses arranged in a square with open plan frontages gives Lawn Close a distinctive character and appearance. There are a mixture of house designs but nevertheless similarities in form, scale and detailing lead to a harmonious composition. As a result, the streetscape is sensitive to the effects of alterations to the frontages of houses.
5. Existing properties either have modest, glazed, flat roof porches projecting to the front, as the appeal site does, or glazed lobbies adjacent to garages which appear integral to their host buildings' frontages. The proposed front extension would extend across a significant part of the frontage of the existing building and, due to its design and scale, would contrast harmfully with the established pattern of frontages of buildings around Lawn Close. Its hipped roof would appear incongruous in the context of the host building's gabled roofs.
6. As such the proposed front extension would not comply with London Borough of Bromley Unitary Development Plan, 2006 (UDP) Policies BE1 and H8 which together require that development should not detract from the existing streetscene and respect or complement the scale and form of the host dwelling and adjacent buildings, amongst other criteria. Its effect on the character of the area would also not comply with the high quality design requirements of London Plan, 2016 (LP) Policy 7.4 and would not avoid conflict with the National Planning Policy Framework's (the Framework) requirement that permission should be refused for development of poor design that fails to take the opportunities for improving the character and quality of an area.
7. Whilst the proposal would be centrally located in respect of the host building's front elevation the existing arrangement where the original house and side extensions are clearly discernible from one another is not harmful to the streetscene. Therefore any balancing effect which may result from the proposed front extension would not bring any particular benefits to the appearance of the host building or the streetscene which would outweigh the harm identified above.

Character and appearance – roof, dormer and rear extension

8. Although the form, detailed design and orientation of roofs on houses in Lawn Close differ, their upper ridge heights appear broadly similar. The roof slopes of the main body of the appeal building and that of the south east element are slightly offset from one another and this differentiation would be made more pronounced as a result of the proposed roof alterations.
9. However, the proposed ridge height would not be significantly greater than that which exists and the resulting relationship with the unaltered ridge would not be so marked as to harm the appearance of the host building. Similarly, the limited addition in ridge height would not appear incongruous when viewed within the context of other houses in Lawn Close.
10. The proposed dormer would not be visible from the front of the property and together these aspects of the proposal would not harm the character and appearance of the host building or the wider roofscape and streetscape. As such, and by siting the proposed dormer away from the prominent front roof slope, the proposal would comply with UDP Policies BE1 and H8 and LP Policy

7.4. In particular the proposed raising of the ridge with the rear dormer set below it would avoid the circumstances UDP paragraph 4.26 (which supports UDP Policy H8) sets out where such development would not normally be permitted. These aspects of the proposal would also avoid conflict with the aforementioned Framework approach of rejecting poor design.

Neighbours' living conditions

11. The appeal building is set in close proximity to, and at right angles with, 7 Lawn Close and both properties have open, unenclosed gardens to the front. No 7 has a ground floor sitting room which looks out over the front of No 6 and I was able to inspect the site from within this room as well as from the rear gardens of Nos 5 and 7.
12. Whilst the proposed front extension would be situated slightly closer to the front of No 7 than the existing porch it would not project farther forward than the current arrangement. The hipped roof would slope away from the front and side of the front extension and whilst it would be more noticeable than the existing porch it would not result in the occupiers of No 7 experiencing a materially greater degree of enclosure that already exists. The orientation of the two houses would also mean that the outlook from the sitting room window of No 7 would not be materially affected. Whilst the increased height of the gable of No 6 would be noticeable from part of the rear garden of No 7 its limited extent and relationship to the boundary would mean that there would not be any adverse effects on the enjoyment of that space.
13. As a result the living conditions of neighbouring occupiers would not be harmed by the proposal. There would be no conflict with the abovementioned UDP and LP Policies in this regard and the proposal would accord with the Framework's core planning principle of always seeking to secure a good standard of amenity for all existing occupants of land and buildings. However, the acceptability of this aspect of the front extension does not alter my findings in respect of its harmful effect on the area's character and appearance.

Other Matters

14. The properties with full width front extensions the appellant refers to on Garden Road are in an area with a materially different character to that of the distinctive group of buildings on Lawn Close and they do not, therefore, lead me to consider that the proposed front extension would be otherwise acceptable.
15. The corner of the appeal site adjoins the Garden Road Conservation Area whose character and therefore significance is derived from the substantial Victorian or Edwardian villas and their generous rear gardens which line Garden Road. However, having paid special attention to the desirability of preserving or enhancing the character and appearance of that Area, the situation and configuration of the appeal proposal is such that it would preserve the setting and significance of that heritage asset.

Conditions

16. It is necessary to specify the approved plans, including being explicit about which elements are not approved, as this provides certainty. Materials need to match those of the existing building to preserve the area's character and appearance.

Conclusion

17. For the above reasons, and having had regard to all other matters raised, I conclude that the appeal should be allowed in part, insofar as it relates to the single storey rear extension, replacement of existing roof structure, loft conversion and erection of rear dormer extension, and dismissed in part, insofar as it relates to the proposed front extension which would harm the character and appearance of the area, contrary to the development plan and the Framework.

Geoff Underwood

INSPECTOR