
Appeal Decision

Site visit made on 19 June 2017

by S Jones MA DipLP

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

Decision date: 19 July 2017

Appeal Ref: APP/G5180/W/17/3170633

Upper Flat, 17 Den Road, Shortlands, Bromley, London BR2 0NH

- 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 Denton against the decision of the Council of the London Borough of Bromley.
 - The application Ref DC/16/05461/FULL1, dated 29 November 2016, was refused by notice dated 28 February 2017.
 - The development proposed was originally described as being to create additional floor area for the existing first floor flat by extending into the existing roof space. The existing roof is u shaped with a hidden central valley. The proposal is to create a new roof area over the central valley area so the entire space over the first floor can be used to create new bedrooms. The existing first floor area of the flat will then be altered in use to like a traditional house with living spaces all on one floor for the growing family and the bedrooms at the loft level. The pitch and material of the existing roof will be retained as they are and the new middle section of roof being at an angle so would not be visible from the surrounding road and so the outlook of the facades would remain constant. There are planned rooflights in the central section as well as veluxes on the original sloped areas to allow a direct view to the outside and all as velux windows would be openable. The central roof section would also have a large fixed rooflight area over the stairs to let light flood down into the central stair area which currently has no windows
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Preliminary Matter

1. Although not originally constructed as a pair of semi-detached dwellings or sub-divided into a pair, I note 17 Den Road and 22 Kingswood Road are part of one building and have been considered as a whole accordingly.

Decision

2. The appeal is dismissed.

Main Issues

3. The main issues are the effect of the proposed development on the character and appearance of the locally listed host building and the surrounding area, and on the living conditions of future occupiers

Reasons

Character and Appearance

4. The property is an upper flat with three bedrooms, in what was a larger property that has previously been divided into two flats, plus an adjoining development to create 22 Kingswood Road. It is in a pleasant suburban residential location and is prominent on a corner plot with a large garden.
5. The building is a locally listed due to its stucco, veranda and mid Victorian detailing, and as such it is considered to be of distinctive local importance. Any effect on its significance merits special attention in accordance with paragraph 135 of the National Planning Policy Framework (the Framework).
6. The property has a pair of pitched roofs with a central gully between them. The proposed alterations to the roof would infill this gully and raise the ridge height by over 1m to create a sloping roof between the existing pitches, reusing existing roofing materials. There are a variety of roof styles nearby, including at the adjoining property, therefore a different style of roof would not necessarily be out of keeping in the streetscene.
7. However, the roof alteration would adjoin the property at No 22 ending with an abrupt cutoff and at a height only just below the full chimney height of that part of the property. It would be particularly visible from that end of the property and from Virginia Close. It would not just infill between the roof pitches but increase the roof area above the ridge height. I conclude that it would be an unsympathetic addition to the mid-Victorian characteristics of the building, which contribute to its significance as a non-designated heritage asset.
8. It would increase the bulk and dominance of the roof overall in this prominent location resulting in development that would be materially harmful to the character and appearance of the host building and the area. Accordingly, it would harm the significance of the locally listed building.
9. Consequently I conclude it would conflict with Policy 7.4 of the 2015 London Plan, because the development would not have regard to the surrounding buildings. It would also conflict with Policies BE1 and H8 of the 2006 Bromley Unitary Development Plan (the UDP) because it would not complement or be compatible with adjacent buildings and the surrounding area, or respect or complement the host dwelling, including the original ridge height. The policies in the UDP are saved, but they are broadly consistent with the Framework.

Living Conditions

10. The new rooms created in the infilled roofspace would be lit by skylights but would be constrained by the new and existing roof pitches. This would result in rooms with very low ceilings and poor outlook because the angled view would be restricted. Although some of the skylights would increase light into the existing flat, this would be via the stairwell and would not benefit the new rooms directly. At the apex of the ceiling, the height might be acceptable, as the appellant comments, but the headroom available across the majority of the floorspace would be significantly less. The Council argue that this would not meet the minimum levels as regards the amount of floor space at 2.3m height,

as set out in the national housing standards¹. I concur, because much of the space would be at levels suitable for storage but not as living areas.

11. Overall, I conclude that living conditions in the new rooms would not be satisfactory or of high quality. This would conflict with Policy BE1 of the UDP, which seeks a high standard of design and layout that would secure adequate living conditions and a good environment for future occupiers.

Other Matters

12. I appreciate that this is a resubmission, and I note that the appellant has submitted in the appeal a suggestion that the ridge height could be raised further to overcome difficulties with living conditions. However, I have no plans or full details to accompany that, and I can, in any case, only consider the appeal before me and cannot substitute alternative arrangements in this instance.
13. I appreciate that the appellant wishes to remain in their home and alter and improve it, but the future prospect of worse or alternative redevelopment is not relevant to my consideration at this point. I also appreciate that no neighbour objections were raised. However, none of these considerations would outweigh the harm I have identified with the proposal.

Conclusion

14. For the reasons given above, and having regard to all other matters, I conclude that the appeal should be dismissed.

S Jones

INSPECTOR

¹ Technical housing standards – nationally described space standard – March 2015