
Appeal Decision

Site visit made on 15 November 2017

by A A Phillips BA (Hons) DipTP MTP MRTPI

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

Decision date: 1 December 2017

Appeal Ref: APP/G5180/D/17/3180517

106 Birch Tree Avenue, West Wickham BR4 9EL

- 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 Ms Ross against the decision of the Council of the London Borough of Bromley.
 - The application Ref DC/17/01047/FULL6, dated 6 March 2017, was refused by notice dated 12 July 2017.
 - The development proposed is alteration of existing side dormer to reduce bulk and mass of the previously unlawful development.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. I am aware that a side dormer has been erected on the property and the current proposal is to reduce the bulk and mass of that dormer. I have dealt with the current appeal on that basis.
3. Although not identified in the reason for refusal the Council's committee report refers to Draft Policies 6 and 37 of the emerging Local Plan. However, these do not form part of the development plan and have very limited weight in the determination of this appeal.

Main Issue

4. The main issue is the effect on the character and appearance of the host dwelling and the wider street scene.

Reasons

5. The appeal site is a semi-detached house situated in a predominantly residential part of West Wickham. The property features a prominent front gable with timber detailing. Birch Tree Avenue is characterised by uniform pairs of semi-detached properties with regular spacing and symmetrical design. The roofs of the properties and in particular their gable frontages, timber detailing and full hips to the sides and rears are significant in their contribution to the street scene. The design of the roofs is important in establishing the regular spacing between properties which contributes to the attractive residential character of the street and the wider area.
6. At my site visit I observed that some properties along the street have side and roof extension, some of which have respected the character and appearance of

their host properties and the street scene generally whilst others have not. In particular, some large flat roofed dormer extensions to side roof slopes have upset the balance of some pairs of semi-detached properties and dominated their hosts.

7. A large side and rear dormer has been built on the appeal property without permission. The current application seeks permission for alterations to the works which have been carried out to reduce the width of the side and rear dormer. The proposal also involves removing part of the dormer which projects across the two storey wing projection of the roof slope. It has been constructed with a tiled roof with rendered facing materials to match the existing property. However, the current proposal seeks to change the materials to incorporate tile hung elevations.
8. Policy BE1 of the London Borough of Bromley Unitary Development Plan July 2006 (the UDP) requires all development proposals, including extensions to existing buildings, to be of a high standard which should not detract from the street scene and be attractive to look at, among other objectives. Policy H8 relates specifically to residential extensions and requires proposals to respect or complement the scale, form and materials of the host dwelling and be compatible with the surrounding area.
9. I am aware that the proposal would reduce the existing roof extension, but would occupy much of the existing roof space. It would dominate the roof of the host property when seen from the adjacent public realm and nearby rear gardens. The proposal seeks to change the materials used on the extension, but nonetheless given its overall scale, massing, design and relationship to the host property it would be an incongruous and visually intrusive development which would be at odds with the host property, the pair of semi-detached properties of which it would be part and the wider street scene, generally. Furthermore, the pair of properties would be unbalanced which would appear awkward and increase their visual prominence in the street scene. Consequently, although the proposal is for a reduced scheme it would have a significant effect on the overall appearance of the host property, the pair of semi-detached houses and the area generally.
10. The appellant has drawn my attention to particular examples of extensions which are visible from the appeal site, including Nos 49 and 132 Birch Tree Avenue. I saw these properties at my site. Although the evidence before me suggests they have been permitted by the local planning authority I consider that these examples serve to illustrate the harm that can result from large poorly designed roof extensions. Furthermore, I have noted the cases identified by the local planning authority, including Nos 42, 120 and 138 Birch Tree Avenue, particularly those which have been dismissed at appeal. Therefore, although there are examples of a variety of roof and other extensions in the locality the current proposal has been determined on its own merits in the light of the particular circumstances of the site and its immediate surroundings, the development plan and the detailed proposal before me.
11. I have noted that there have been no objections from local residents and the local planning authority does not consider that the proposal would result in loss of privacy to neighbouring properties above that of the existing arrangement. I have also taken account of the appellant's comments that the proposal is not permitted development due to a technicality. Nonetheless, permission is

required and the proposal has been determined in accordance with the development plan and other material considerations.

12. I therefore conclude that the proposal would have a harmful effect on the character and appearance of the host dwelling and the wider street scene and would conflict with Policies BE1 and H8 of the UDP, Policies 7.4 and 7.6 of the London plan 2016 and the National Planning Policy Framework.

Conclusion

13. For the reasons given above and taking into account other matters raised I conclude that the proposal conflicts with the development plan taken as a whole and that the appeal should be dismissed.

Alastair Phillips

INSPECTOR