
Appeal Decision

Site visit made on 24 February 2020

by S Harley BSc(Hons) MPhil MRTPI ARICS

an Inspector appointed by the Secretary of State

Decision date: 02nd March 2020

Appeal Ref: APP/G5180/D/19/3241964

56 Patterson Road, Anerley, London SE19 2LF

- 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 and Mrs Keshav against the decision of the Council of the London Borough of Bromley.
 - The application Ref DC/19/02564/FULL6, dated 12 June 2019, was refused by notice dated 5 September 2019.
 - The development proposed, as described on the decision notice, is part one/two storey side/rear extensions, roof alterations including half hip and rear roof addition, elevational alterations, landscaping works, decking, and the construction of an annex to the rear to be used as an Artist Studio.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. For the purposes of this appeal I have adopted the description of development as set out on the decision notice and the appeal form as this more clearly describes the proposed development.

Main Issues

3. The Council raises no objections to the proposed annex or other works in the garden area. Following my observations at my site visit I see no reason to disagree. Accordingly, for the purposes of this appeal, I consider the main issues are the effect of the proposed extensions on the character and appearance of the host dwelling, the adjoining dwelling, and the area; and the effect on the living conditions of occupiers of No 58 Patterson Road taking particular account of outlook.

Reasons

Character and appearance

4. The appeal site is in a predominantly residential area of tight urban grain. The surrounding properties vary in size, style, materials and design including exhibiting a number of different roof profiles. The changes in levels mean that some properties are situated much higher than the highway whereas others are slightly below it. No 56 Patterson Road is a semi-detached dwelling adjoining No 58, with a garden that slopes steeply up to the rear. Particular architectural features are the symmetrical sloping/catslide front gable with recessed porch which stands forward of the hipped roof two-storey part of both of these

dwellings. The host dwelling already has a dormer in the side of the hipped roof; a single storey side extension up to the boundary with 1-4 Patterson Court; and a dormer to the rear.

5. A gap of about one metre between the first floor part of the side extension and the boundary with Nos 1-4 would be retained at first floor level although the ground floor side extension would adjoin the shared boundary. The Council, in the Delegated Decision Officer Report, indicates that this would not satisfy the requirements of Policy 8 of the Bromley Local Plan 2019 (the BLP) which requires the retention of a one metre space to the side boundary of the site for "the full height and length of the building".
6. However, the supporting text indicates that this is to ensure adequate space around residential buildings *at first floor and above* (my emphasis) to prevent a cramped appearance and unrelated terracing from occurring. I am also mindful that the requirements of this policy are caveated in the terms that the Council will *normally* require them, which adds an element of discretion to consider the specific circumstances of each proposal. As the existing single storey side extension adjoins the boundary, I consider that the gap at ground floor level would be sufficient to meet the requirements of Policy 8 of the BLP¹. However, at roof level, the gable form would result in a significant narrowing of the separation gap and a reduction in spaciousness between buildings which would not be sufficiently ameliorated by the half hip as proposed.
7. As proposed the addition to the main roof would extend over the proposed two storey side extension in the form of a gable with a half hip at a similar height to the eaves of the hipped roof of No 1-4. The proposed extensions would not be greater in scale than the substantial building at Nos 1-4.
8. However, due to the overall increased width, height, mass and design the proposed two storey side extension and half hip roof would be harmful to the character and appearance of the host and the adjoining dwelling by unbalancing the pair of semi-detached houses. It would appear out of scale and incongruous in the street scene. Unlike the Council I do not consider the half hip would be sufficient to overcome the harm that would be caused to the symmetry of the buildings even though the sloping/catslide front gable and recessed porch would be retained.
9. The existing facing materials are red bricks and tiles. As shown on the plans the proposed materials for the front elevation would be bricks and tiles to match which would not be unacceptable. However, this would not overcome the concerns identified above. The side elevation of the two storey extension and roof addition would be faced with lead cladding. As these would not be prominent in the street scene, and would not be read in conjunction with the adjoining dwelling from most views, I do not consider these to be unacceptable.
10. Much of the rear extensions would have flat roofs. This includes the roof addition which would project at the height of the host dwelling ridge line for a depth of about 6m overall and about 1.6m from the original rear wall of the house. The width, height, depth and materials of the proposed extensions and

¹ In this respect I find no conflict with the conclusions of colleague Inspectors appeal Refs APP/G5180/D/17/3169847; APP/G5180/D/17/3169744; or APP/G5180/D/17/3190616

their block form would not respect the rhythm of form and detail of the host dwelling. They would be large extensions which, although they would not be particularly prominent in most views, would overwhelm the host dwelling, detracting from its architectural integrity.

11. I acknowledge that the properties are not wholly symmetrical due to the existing side and rear dormers and single storey extension but these are much smaller in scale; the side dormer is set back and both dormers are set into the original roof slopes and have hipped roofs. Accordingly they do not have as harmful an impact as the proposals would.
12. During my visit I was able to see that Nos 5, 9 and 13 Milestone Road, which are of similar original form to the appeal property, have side gable extensions to their hipped roofs. However, these appear to continue up from the main side walls of those properties rather than extending over a two storey side extension, as would be the case with the appeal proposals. They are therefore different to the appeal proposals before me. Nor do I consider that flat roofs of purpose designed buildings, such as Cintra Court, justify the introduction of the proposed extent of flat roofs onto a hipped roof semi-detached house.
13. For the reasons set out above I conclude that the proposed extensions would have a harmful effect on the character and appearance of the host dwelling, the adjoining dwelling, and the area. Accordingly they would conflict with Policies 6, 8 and 37 of the BLP; Policies 7.4 and 7.6 of the London Plan and the National Planning Policy Framework (the Framework). These, together, seek a high standard of design that respects or complements the local area. It would also conflict with the Supplementary Planning Guidance Numbers 1 and 2 (the SPG), which support the interpretation of design policies. Whilst the proposed extensions would have some contemporary and innovative features, in my judgement, they would not amount to the good design sought by planning policy in the context of this particular property.

Living conditions

14. No 58 has windows/door in similar positions on the rear elevation to those of the host dwelling. The proposed extensions would be tapered away from the shared boundary such that the proposed extensions would not intrude into the area delineated by the 45 degree angle taken from the centre point of the closest neighbouring openings. This would reduce the effect on the outlook from these windows.
15. However, the combined height, depth and dark materials of the proposed extensions, and in particular the box forms proposed at first floor and roof levels, in such close proximity to the shared boundary, would appear bulky and over dominant when viewed from the garden of No 58. They would result in an increased sense of enclosure and create gloomy and oppressive living conditions for the occupiers of that property notwithstanding the currently more open outlook towards the other side of the garden.
16. For the above reasons I conclude that the proposed extensions would have a harmful effect on the living conditions of occupiers of No 58. Accordingly I find conflict with Policies 6, 8 and 37 of the BLP; the Framework; and the SPG in so far as these seek to ensure development has an acceptable effect on the amenity of occupiers of adjoining properties.

Other Matters

17. The appeal proposals incorporate amendments intended to address pre-application advice given by the Council and the reasons for refusal of previous proposals planning Ref 18/05387/FULL6. However, this does not lead me to conclude that the appeal proposals are acceptable at this particular property.

Conclusion

18. In failing to comply with Policies 6, 8 and 37 of the BLP and Policies 7.4 and 7.6 of the London Plan the proposed extensions cannot comply with the development plan taken as a whole. For the reasons set out above I conclude the appeal should be dismissed.

S Harley

INSPECTOR