



Appeal Decision

Site visit made on 5 July 2020

by N Holdsworth MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 August 2020

Appeal Ref: APP/G5180/D/20/3244993

47 Rusland Avenue, Orpington, BR6 8AT

- 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 C Nanwani against the decision of the Council of the London Borough of Bromley.
 - The application Ref DC/19/04489/FULL6 dated 21 October 2019, was refused by notice dated 17 December 2019.
 - The development proposed is single storey side/rear extensions and roof alterations to form habitable accommodation in loft space with rooflights and rear dormers.
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Decision

1. The appeal is allowed and planning permission is granted for single storey side/rear extensions and roof alterations to form habitable accommodation in loft space with rooflights and rear dormers at 47 Rusland Avenue, Orpington, BR6 8AT, in accordance with application ref DC/19/04489/FULL6 dated 21 October 2019 but subject to the attached schedule of conditions.

Procedural Matter

2. There are inaccuracies in the proposed plans. The proposed block plan and loft plan do not fully account for an area of flat roof which would be constructed at the top of the building, given the length of each ridge. I have considered the appeal on the basis of the elevation drawings, and deal with this matter by way of amending condition. No objection to this approach was raised by either main party.

Main Issue

3. The main issue in this appeal is the effect of the proposed extensions on the character and appearance of the host building and surrounding area.

Reasons

4. The host building is set along Rusland Avenue, a road predominantly comprised of bungalows. Some of the properties have been extended at roof level, and a number of rooflights and dormer windows are visible along the road. However, the broad shape of the largely hipped, pitched roofs has been preserved, along with the low eaves line. This helps to create a degree of visual uniformity and local distinctiveness, which is apparent along this road.
5. The proposal would extend the building to each side and to the rear, creating an enlarged roof with rooflights to the front and rear dormers. However, the existing low eaves line to the front of the building would be preserved.

- Consequently, in views from Rusland Avenue, the existing hipped roof form of the host building would essentially be retained in the extended property. There would be an area of crown, flat roof above the building but due to its modest size this would not be particularly apparent from the public realm.
6. The eaves of both side elevations would be raised through the introduction of a half-hipped roof. In this respect, the proposal would follow the precedent set by other similar half hipped extended roofs that already exist along this road. There would be space between the extensions and the respective site boundaries, broadly comparable in size to the gaps found beside other existing properties along this road.
 7. As such, whilst the extensions cover a significant area, the architectural integrity of the host building would be preserved through the recreation of key elements of its design in the proposed works. Whilst concern is expressed regarding the cumulative scale of the extensions, the front building line would be retained, along with a well sized rear garden. Consequently, the extended dwelling would not appear unduly large in relation either its corner plot, or any other existing properties along this road. The side and rear of the property would be visible from Torver Way. However, from this perspective the pitched roof and dormer windows would not significantly differ in appearance to other roofs visible along and around Rusland Avenue.
 8. Overall, the proposed extensions would not overwhelm the host building. They would preserve the visual uniformity and local distinctiveness of the road upon which it is set. The extended building would not appear cramped or over dominant, and there would be no harm to the character and appearance of either the host building or the surrounding area as a consequence of this proposal.
 9. As such, there is no conflict with policies 6 and 37 of the London Borough of Bromley Local Plan (2019) nor policy 7.4 of the London Plan (2016) which, amongst other things, seek to ensure that a high standard of design is achieved where extensions to existing buildings are proposed. Nor does the proposal conflict with the National Planning Policy Framework which seeks to achieve well-designed places. The Council also refer to supplementary planning guidance entitled 'No.1, Design in Bromley' and 'No.2, Residential Design Guidance'. These reinforce the principles of good design set out in the development plan policies identified above, emphasising in particular that extensions should retain the architectural integrity of the host building. The proposal does not conflict with this guidance.
 10. There was a recent approval at No.49 Rusland Avenue, a very similar building on a corner plot, for extensions including the enlargement of its roof¹. The schemes are not identical, and at No.49 there is a more significant single storey element. However, this decision broadly reinforces my view that there would be no harm arising from the principle of replacing the existing hipped roof with a larger one with half hipped side facing walls.
 11. The Council make reference to a recent appeal decision² at No.45 which was dismissed. In that case a key concern raised by the Inspector was the variety of different roof forms incorporated within the same single building. The

¹ LPA reference DC/20/00747/FULL6

² APP/G5180/D/17/3179532

proposal here is different in that it proposes a single roof over much of the extended building. In this respect it would appear more coherent in design terms. I note that the previous Inspector also raised concerns about the raised eaves to the side of the proposal. However, the appellant has provided examples of other similar half-hipped roofs along this road, none of which detract from the character and appearance of the area. This is also reinforced by the recent decision at 49, where the Council approved a similar roof design on a neighbouring property. This evidence leads me to a different view on this particular issue to that expressed by my colleague.

12. The proposal is sited appropriately in relation to neighbouring buildings. It would not result in any harm to the living conditions of the residential occupants of these properties.

Conclusion

13. In conclusion the proposal complies with the development plan and there are no other considerations that outweigh this finding. The appeal should succeed subject to conditions necessary for legal reasons, in the interests of certainty and to ensure the development is built according to accurate plans, and to preserve the character and appearance of the area.

Neil Holdsworth

INSPECTOR

SCHEDULE OF CONDITIONS

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 3422-19-PL001 rev P1; 3422-19-PL002 rev P1.
- 3) Except where shown otherwise on the approved plans, the materials to be used in the construction of the external surfaces of the extensions hereby approved shall match those used in the existing building.
- 4) Notwithstanding the details shown on the approved plans, no works to the roof of the existing building shall be carried out until a plan has been submitted to and approved in writing by the local planning authority showing the detailed design of the proposed roof, including accurate dimensions of the area of flat roof above the building. This must be based on the approved elevation drawings. The development shall be carried out in accordance with the plan(s) approved under the terms of this condition.

END OF SCHEDULE