The Planning Inspectorate

Appeal Decision

Site visit made on 16 February 2021

by J Bell-Williamson MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 02 March 2021.

Appeal Ref: APP/D5120/D/20/3260397
18 Church Avenue, Sidcup, Kent DA14 6BU

- 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 Larner against the decision of the Council of the London Borough of Bexley.
- The application Ref 20/00622/FUL, dated 6 March 2020, was refused by notice dated 17 September 2020.
- The development proposed is a loft extension.

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The appellant submitted a revised plan showing the proposed elevations[1]. The Council confirms that it did not take account of this revised plan in reaching its decision on the application and, therefore, in the interests of fairness to other parties I have determined the appeal on the basis of the same plans as relied upon by the Council.

3. The Council's decision notice refers to a side window in the proposed rear dormer extension. I accept, however, the appellant's contention that no new side window is shown on the submitted plans and have treated the proposal as such.

Main Issue

4. The main issue is whether the proposed loft extension would preserve or enhance the character or appearance of The Green Conservation Area, in which the appeal property is located.

Reasons

5. The Green Conservation Area is focused on the parkland around Sidcup Place and Manor House and the tighter grain and village atmosphere of the area which abuts St John's Church. This includes Church Avenue which comprises various groups of Edwardian period residential properties, including No 18 which is a detached two storey dwelling.

[1] Plan ref A005 Revision A.

6. *The Green Conservation Area Appraisal and Management Plan* (the CAAMP) indicates that the special character and appearance of the conservation area includes its surviving core of Victorian and Edwardian houses that benefit from attractive scale, proportions and architectural detail; and the strong visual quality of the roofline, uniformity of spaces between buildings, and the rhythmic architectural patterns provide an attractive built environment.

7. The CAAMP also notes that the main pressure for development generally takes the form of residential extensions, including roof extensions, which will have an adverse effect on the unity and harmony of the existing development[2]. With regard to the management of future development, the document says that roof extensions, dormers or roof lights, to the front or side, can be particularly disruptive when visible from the street or from public open space. It is critically important to protect and retain the original roofscapes[3]. Furthermore, alterations to the roofscape, including the installation of dormers and roof lights, are identified as one type of alteration that poses a threat to the special character of the area[4].

8. In the light of this clear and specific guidance, the rooflights to the front of the appeal property would be a harmful form of development that would fail to preserve the character or appearance of the conservation area. I note in this regard that the small number of existing roof conversions in Church Avenue pre-date the designation of the conservation area. As such, they cannot be seen as precedents for a form of development that is identified as posing a threat to the special character of the area.

9. The proposed dormer would be of substantive scale, covering the majority of the rear roof slope. Consequently, it would materially alter the character of the original roof form and so would fail to preserve the character of the conservation area. The similar form of dormer on the neighbouring property serves to illustrate the harmful effects of this type of development in this sensitive setting where the majority of properties are unaltered and the original roofscape across the front and rear of properties along the avenue makes a positive contribution to the area's character.

10. With regard to its appearance, the rear gardens of properties on the north side of Church Avenue adjoin the churchyard of St John's Church, which is within the conservation area and a Grade II listed building. While there is some tree cover along the boundary with the churchyard, at the time of the inspection when these trees were not in leaf the rear roof slope of No 18 was clearly visible. Moreover, the extended roof would also be visible from neighbouring gardens, also within the conservation area. The harmful effects of this type and scale of development would be readily apparent from these views. The appellant contends that the churchyard is not actively used. However, it is nonetheless part of the conservation area from which views of the extended roof would be possible.

11. Therefore, for these reasons, I conclude that the proposed loft extension would have an unacceptably harmful effect in this location and so would not preserve the character or appearance of The Green Conservation Area. Consequently, it

[2] Paragraph 7.25.
[3] Paragraph 4.2.
[4] Paragraph 4.3.

is contrary to the following development plan policies: Policies H9, ENV39 and ENV49 of the London Borough of Bexley Unitary Development Plan 2004 (the UDP) and CS19 of the London Borough of Bexley Core Strategy 2012, which concern amongst other matters the effect of development on local character, and which require the protection of heritage assets, including conservation areas, from inappropriate development. These policies are consistent with the National Planning Policy Framework (the Framework). Policy ENV19 of the UDP is not directly relevant in this case in my reading of it, as it concerns the uses of land designated as open space.

12. In reaching this conclusion I am particularly mindful of the statutory requirement that in exercising planning functions in conservation areas special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area[5].

13. Where there is a harmful effect on the significance of a designated heritage asset which is less than substantial harm, which would apply in this case, the Framework requires the harm to be weighed against the public benefits of the proposal[6]. No such benefits have been put forward given that this is a proposal for the extension of a private residential property.

Other Matters

14. The appellant makes a number of detailed comments about the process of submitting the planning application and its determination. However, these matters are outside the scope of this appeal, which is only concerned with the planning merits of the proposed development.

Conclusion

15. For the reasons given above it is concluded that the appeal should not succeed.

J Bell-Williamson

INSPECTOR

[5] Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.
[6] Paragraph 196.