
Appeal Decision

Site visit made on 25 March 2021

by John D Allan BA(Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 April 2021.

Appeal Ref: APP/G5180/D/20/3263867
10B Austin Avenue, Bromley, BR2 8AJ

- 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 Jason Trout against the decision of the Council of the London Borough of Bromley.
 - The application Ref DC/20/02516/FULL6, dated 6 July 2020, was refused by notice dated 6 October 2020.
 - The development proposed is the erection of a part single-storey side/rear and part two-storey rear/side extension, roof extension to the rear to create a rear gable end and side dormer and changes to fenestration.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a part single-storey side/rear and part two-storey rear/side extension, roof extension to the rear to create a rear gable end and side dormer and changes to fenestration at 10B Austin Avenue, Bromley, BR2 8AJ in accordance with the terms of the application, Ref DC/20/02516/FULL6, dated 6 July 2020, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Drg Nos AV-R01-EX-101, AV-R00-EX-102, AV-R00-EX-103, AV-R00-EX-105, AV-R00-EX-107, AV-R01-PR-101, AV-R00-PR-102, AV-R00-PR-103, AV-R00-PR-105, AV-R00-PR-107 and AV-R00-PR-108.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Preliminary Matter

2. Since the date of the decision The London Plan 2021 (LP 2021) was published on 1 March 2021 and is now part of the development plan. The Council's decision notice referred to Policies 7.4 and 7.6 of The London Plan 2016 (LP

2016), which are now superseded. The main parties for the appeal were invited to express their views on the LP 2021 insofar as it relates to the appeal.

Main Issue

3. The main issue is the effect of the proposed roof alterations to 10B Austin Avenue on the character and appearance of the area.

Reasons

4. The appeal property is a detached, two-storey dwelling constructed along with 10C Austin Avenue as an infill development within a residential cul-de-sac following a grant of planning permission on appeal in 2005. Nos 10B and 10C are accessed from the turning head at the end of the cul-de-sac through a single-width driveway positioned between 10 and 10A Austin Avenue. The proposal would extend the property to the rear at both single-storey and two-storey, with the pitched roof over the original house remodelled to create a half-hipped gable to the rear and with a box-like dormer to one side facing towards No 10C.
5. I agree with the Council that the overall size of the extensions to the rear is acceptable, as is the size and appearance of the rear dormer that is proposed within the rear roof slope of the attached garage.
6. Austin Avenue comprises a mix of detached and semi-detached dwellings of mixed appearance. I saw during my visit that half-hipped gables are features that are clearly visible on other properties nearby. Indeed, the existing attached garage to the appeal property, which projects forward and to the side of the main body of the building, has precisely that roof form, as has the side elevation of 10A, which is openly seen in the approach to the appeal site along Austin Avenue. The remodelled form of No 10B to the rear would therefore not appear out of step with the mixed architecture of the area, and although the changes would significantly remodel the shape of the building, there would be an obvious match with parts of its existing appearance. I therefore do not share the Council's view that the half hip/rear gable would be either incongruous or out of keeping in the area.
7. The side dormer would be undeniably large. However, the appeal property does not have a typical frontage within a street scene. It is part of a backland form of development, tucked behind the dwellings that face onto Austin Avenue and only partially seen from the public domain through a gap between Nos 10 and 10A. Furthermore, the dormer would be recessed behind the dwelling's front elevation and would occupy space that is largely enclosed by the close proximity of No 10C to the side. The dormer would avoid the dwelling's prominent roof pitches. It would be largely out of sight except part of it which may possibly be glimpsed from a limited viewpoint towards the turning head in Austin Avenue, or else only from immediately in front of Nos 10B and 10C, which is a privately accessed drive for just these two properties. Even then, for it to be seen it would require a deliberate view upwards and at a fairly oblique angle due to the reasonably narrow space that exists between these dwellings and the flank wall of No 10A. Given this, I am not persuaded that there would be any impact upon the visual amenities of the area that would be harmful.

8. Overall, I am satisfied that there would be no harm to the character or appearance of the area. I therefore find no conflict with Policies 6 or 37 of the London Borough of Bromley Local Plan 2019 insofar as they require a high standard of design for all development, and residential extensions to respect or complement the host dwelling and be compatible with development in the surrounding area. Neither do I find conflict with Policies D1, D3 or D4 of the LP 2021, which have been drawn to my attention by the Council since the appeal was made as relevant replacements for LP 2016 Policies 7.4 and 7.6, insofar as they deal with delivering good design and for development proposals to respond positively to local distinctiveness.

Other Matters

9. I have noted concern from an occupier in Southborough Lane who believes the development may impact upon levels of privacy they currently enjoy. However, properties to the rear of the appeal site are located a significant distance away. The windows in the main face of the side dormer would face the side roof of No 10C, with little scope for sight beyond. Furthermore, those properties to the north, along Southborough Lane, are also some distance away. Neither the outlook from the new rear facing windows nor the side dormer would affect the privacy to any of the properties to the west or north of the appeal site.

Conditions

10. A condition specifying the relevant plans is necessary as this provides certainty. In the interests of maintaining the character and appearance of the area a condition is required to control the external materials to be used.

Conclusion

11. For the reasons given, and in the absence of any other conflict with the development plan, I conclude that the appeal should be allowed.

John D Allan

INSPECTOR