



Appeal Decision

Site visit made on 13 July 2021

by J Davis BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 July 2021.

Appeal Ref: APP/G5180/W/20/3262769

62 Braemar Gardens, West Wickham, BR4 0JW

- 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 J Taylor against the decision of the Council of the London Borough of Bromley.
 - The application Ref DC/20/02263/FULL1, dated 19 May 2020, was refused by notice dated 21 October 2020.
 - The development proposed is demolition of existing two storey side extension and erection of an attached 4 bed, one and two storey dwellinghouse (with accommodation in the roofspace) together with associated landscaping, bin storage, integral garage (including bike storage), and off-street frontage parking from existing vehicular access in Braemar Gardens.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. Since the determination of this application the London Plan 2021 has been published by the Mayor. This London Plan replaces all previous versions and, therefore, the London Plan 2016 policies that are referred to in the decision notice and submissions are no longer in force. However, the London Plan (intend to publish) was clearly referenced in the Council's delegated report. On this occasion, given the nature of the refusal reasons and the main issues identified below, the publication of the new London Plan does not directly change the assessment of this appeal.

Main Issues

3. The main issues in this appeal are:
 - The effect of the proposal on the character and appearance on the existing semi-detached houses, Nos 60 and 62 Braemar Gardens, and the surrounding area; and
 - The effect of the proposal on the living conditions of existing and future occupiers of 26-38 Ravenswood Crescent, with reference to outlook.

Reasons

Character and appearance

4. The appeal property is a semi-detached dwelling located within a spacious corner plot. The surrounding area comprises of detached and semi-detached dwellings set behind front gardens which result in the area having a relatively spacious character and appearance. Street trees and the grass verges along Ravenswood Crescent also contribute to the landscaped character.
5. The existing dwelling has been significantly extended and altered following the Council's approval of planning applications and also extensions constructed under permitted development rights. The dwelling has a large part single storey, part two storey extension to the side. More recent additions include flat roof single and two storey rear extensions and a large rear dormer. The hipped roof design of the original dwelling has subsequently been altered to a gable end. The adjoining half of the semi-detached dwelling, 60 Braemar Gardens, also appears to have been extended and altered over the years. As a result, the existing pair of properties are already unsymmetrical and unbalanced in appearance.
6. The proposed new dwelling would be part single storey, part two storey, with accommodation also provided within the roof, served by a rear dormer window and front rooflight. The design of the proposed dwelling partly replicates the design and appearance of the recent alterations that have been carried out to the host dwelling.
7. The design of the two storey part of the new dwelling would incorporate a gable with a catslide roof on the front elevation facing Braemar Gardens, with a gable end facing Ravenswood Crescent. The dwelling would be at a slightly lower level than No 62, resulting in a lower eaves and ridge height. Whilst the proposal would result in a short terrace of three dwellings, its design would include features such as a front gable that reflects the appearance of Nos 60 and 62 Braemar Gardens. There are other short runs of terraces in the immediate area and I therefore find that this aspect of the proposal would not be out of character in terms of its built form.
8. The original hipped roof the host dwelling has already been converted to a gable end and I do not consider that the proposed new dwelling would appear out of character in this regard. There are also other properties close to the appeal site where the roof has been altered from a hip to a gable or to a half hip. The existing pair of semi-detached dwellings are already unsymmetrical and in my opinion the addition of the proposed new dwelling would not be harmful to the character and appearance of Nos 60 and 62 Braemar Gardens.
9. The proposal would add considerable bulk and mass, with a flat roof with dummy pitch at first floor level, and a large rear dormer. However, these features would be viewed against and would largely replicate the side profile of No 62, albeit at a lower ground level. Whilst the proposal would clearly be visible from Ravenswood Crescent, the first floor element would be well set in from the side boundary of the site and I do not consider that this aspect of the proposed development would be unduly prominent or harmful to the character and appearance of the surrounding area.

10. The proposal also includes a large ground floor element which to the rear, would be level with the single storey extension to No 62. However, the ground floor accommodation would wrap around the dwelling and would extend out to the side boundary of the site, leaving no space to provide any form of landscape setting to the dwelling or a buffer to Ravenswood Crescent. The proposed new dwelling would appear cramped in relation the side boundary of the site which would be at odds with the spacious character and appearance of the area and the contribution the site currently makes to the spaciousness of the junction of Braemar Gardens and Ravenswood Crescent.
11. Whilst there is no specific requirement in Policy 8 of the Bromley Local Plan (2019) (LP) to set single storey extensions in from the boundary, I nonetheless consider that the overall amount of development on the site would be detrimental to the visual and spacious qualities of the area which the policy seeks to protect. I appreciate that the ground floor element would have a flat 'green' roof, however I am of the view that the proposal would be visible from the adjacent footpath and due to its size and scale and proximity to the boundary, it would appear cramped and overdeveloped when viewed from Ravenswood Crescent.
12. This leads me to conclude that whilst the proposal would not have a significant harmful effect on the character and appearance of the existing houses, Nos 60 and 62 Braemar Gardens, it would have a harmful effect on the character and appearance of the surrounding area. Thus, it would be contrary to Policies 4, 8 and 37 of the LP as well as the design guidance contained within Supplementary Planning Guidance No 1 General Design Principles and Supplementary Planning Guidance No 2 Residential Design (SPG 1 and 2), which collectively require development to be of a high standard of layout and to respect local distinctiveness.

Living conditions

13. Nos 26-38 Ravenswood Crescent are positioned on the opposite side of Ravenswood Crescent to the appeal site and are separated from the road frontage by a footpath and grass verge and by the gardens or driveways to the front of the dwellings. A footpath and grass verge also separate the appeal site from the adjacent highway.
14. Whilst the proposed new dwelling would extend out to the side boundary of the site at ground floor level, the first floor element and rear dormer would be well set in from the side boundary of the site. Given the distance that would exist and the intervening features between the proposed side elevation of the new dwelling and the front elevations of Nos 26-38 Ravenswood Crescent I do not consider that the proposal would be dominant or overbearing when viewed from these properties.
15. In conclusion on this issue, I find that the proposal would not have a harmful effect on the living conditions of existing and future occupiers of Nos 26-38 Ravenswood Crescent with particular reference to outlook. The proposal would accord with Policies 4 and 37 of the LP as well as the guidance contained within SPG1 and 2 and paragraph 127 (f) of the National Planning Policy Framework (the Framework) which collectively seek good quality design which protects the amenities of existing and future users.

Other Matters

16. The appellant states that an outbuilding could be constructed under permitted development rights which would have a similar effect on spaciousness as the appeal proposal. However, I do not have any details of such a scheme before me and in any event, I am required to determine the appeal on its own merits based on the plans before me. I therefore attached little weight to this matter.
17. The appellant has referred to examples in Kent Road where dwellings have been extended out close to their side boundary. However, these dwellings have a different relationship with Manor Park Road / Ravenswood Crescent as they front onto it and are not directly comparable to the appeal proposal. In any event, I am required to determine the appeal on its own merits.
18. The Council accept that it cannot demonstrate a five-year housing land supply. As such, relevant policies for the supply of housing should not be considered up-to-date and paragraph 11 of the Framework should therefore be applied.
19. The Framework refers to boosting significantly the supply of housing and the net increase of one additional dwelling would make a small contribution. Furthermore, there would be economic benefits during the construction phase and from spending by future occupiers which further weighs in favour of the development.
20. In terms of adverse impacts, I have found that the appeal scheme would have a harmful effect on the character and appearance of the area and would conflict with Policies 4, 8 and 37 of the LP. I attribute significant weight to this policy conflict.
21. Bringing all together in the final balance, I consider that the harm to the character and appearance of the area would significantly and demonstrably outweigh the benefits when assessed against the policies of the Framework when taken as a whole. Furthermore, no material considerations indicate that a decision should be made other than in accordance with the development plan.

Conclusion

22. For the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

J Davis

INSPECTOR