The Planning Inspectorate

Appeal Decision

Site visit made on 21 October 2021

by Rebecca Thomas MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7 December 2021

Appeal Ref: APP/G5180/D/21/3277480
36 Manor Way, Petts Wood, Orpington BR5 1NW

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against refusal to grant planning permission.
- The appeal is made by Mrs Tegi Randall against the Council of the London Borough of Bromley.
- The application Ref DC/21/00556/FULL6, dated 4 February 2021, was refused by notice dated 14 May 2021.
- The development proposed is Loft conversion with partial hip to half gable, rear dormer and two front roof lights.

Decision

1. The appeal is allowed and planning permission is granted for Loft conversion with partial hip to half gable, rear dormer and two front roof lights at 36 Manor Way, Petts Wood, Orpington BR5 1NW in accordance with the terms of the application Ref DC/21/00556/FULL6, dated 4 February 2021, 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: Location plan; Block plan; 1242/A/1; 1242/A/2; 1242/A/3; 1242/A/4; 1242/A/5; 1242/A/6; 1242/A/7; 1242/A/8; 1242/A/9; 1242/A/10; 1242/A/11; 1242/A/12; 1242/A/13.

   3) The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

Application for costs

2. An application for costs was made by Mrs T Randall against The Council of the London Borough of Bromley. This application is the subject of a separate Decision.

Procedural matters

3. The Council altered the description of development from *"loft conversion with hip to half gable and rear dormer"* to *"Loft conversion with partial hip to half gable, rear dormer and two front roof lights"*. This is also the description used by the appellant on the appeal form. I consider this to be a more accurate description of the appeal proposals and I have therefore considered the appeal on this basis.

4. Since the submission of the appeal, the National Planning Policy Framework from 2019 has been replaced, with the new version being published in July 2021 (the Framework). Amongst other changes, Section 12 has been amended to reflect the new National Model Design Code. Nevertheless the character protection aims of both local policy and the Framework are similar and so neither party has been prejudiced by this change in policy circumstances.

Main Issue

5. The main issue is the effect of the proposal on the character and appearance of the area which is within the Petts Wood Area of Special Residential Character (ASRC).

Reasons

6. The appeal site is located within a residential street, characterised by detached and semi-detached dwellings set back from the road and at my site visit I saw numerous alterations to properties throughout Manor Way. These vary in appearance and height and I saw a number of roof treatments, including hipped roofs, gabled roofs and dormer roof extensions.

7. The appeal property is a semi-detached dwelling with a timber gable feature to the front and a tiled and hipped gable roof. This reflects that of the adjoining neighbour at no. 38. The development as seen from the street would extend the roof to provide the loft conversion, however would not protrude beyond the existing gable feature to the front elevation. The roof lines would follow the original, providing a partially hipped gable. The dormer extension to the rear would not be readily visible from the street.

8. I noted at the time of my site visit that the adjoining property, no. 38 Manor Way was currently being altered, with scaffolding erected and work underway. The appellant has provided details of the development for no. 38 which are shown on plans to be alterations resulting in a gable extension. I was also able to see that some properties throughout the street have been altered to amend the rooflines, and these do not necessarily match the roof arrangements to their immediate adjoining neighbour.

9. Policy 44 of the Bromley Local Plan[1] says that development in ASRCs should respect, enhance and strengthen the distinctive characteristics of these areas. Policy 6 deals with residential extensions and expects development to, amongst other things, to be of a scale and form which respects or complements those of the host dwelling and local area. Policy 37 of the Local Plan expects a high standard of design and sets out a number of specific criteria to be considered.

10. I note the concerns that the proposed development would be dominant and bulky however the proposal would not extend above the existing ridgeline of the property, nor would it extend beyond the gable feature to the front elevation. Whilst I accept that the insertion of the roof extension and half hipped gable would fill some of the space between the appeal site and the neighbour at no. 34, it would not bring the appeal site any closer to that property, and the half hip proposal ensures that a visual separation is retained between the plots.

[1] Bromley Local Plan (January 2019)

11. Notwithstanding the works that I was able to see at the time of my site visit at no. 38, I consider that the development at the appeal site would not unduly cause harm to the pair of dwellings as a result. I was able to see many properties along Manor Way where alterations have been carried out which are not entirely symmetrical with the neighbouring property. I do not consider that the proposals before me would be any more visible than those which I was able to see at my site visit. The proposal would be able to retain the original characteristics of the appeal dwelling and that of the street and local area. In addition to this, the materials proposed would be in keeping with the existing dwelling and as such I do not consider that the alterations would inherently cause harm to the existing property nor the character and appearance of the area and the ASRC.

12. Taking into account the above, the proposed development would not result in a bulky or dominant form of development or unacceptable closing of the gap between properties. In addition to this, I consider that the proposal would not unacceptably unbalance the pair of dwellings at no. 36 and no. 38. I have also had regard to the number of properties in the immediate area that have had varying alterations to their roof spaces and as such the development would not be harmful to the character and appearance of the streetscene. I therefore find that the proposal would take into account the plot widths and gaps between buildings, established street patterns, rooflines and streetscape rhythms and as such would not harm the ASRC and accords with Policies 6, 37 and 44 of the Local Plan.

Other Matters

13. There are concerns relating to overlooking and overbearing. The windows to the side elevation of the development would serve the stairway and the glazing is proposed to be obscure and non-openable. Given the function of these windows and location I do not find there would be any harm to neighbouring occupiers as a result of overlooking. The proposal is retained within the existing footprint of the dwelling and as such I find no overbearing to occupiers of neighbouring properties and concur with the Council's findings.

Conditions

14. In addition to the standard timescale for implementation condition, it is necessary to attach a condition to confirm the approved drawings in the interests of certainty. In the interests of the character and appearance of the area, I have also imposed a condition to ensure that the external surfaces materials would match the existing.

Conclusion

15. I have found that there is no harm to the character and appearance of the appeal dwelling nor to the ASRC and local area. I therefore conclude that, subject to the above conditions, and having regard to all other matters raised, the appeal should be allowed.

Rebecca Thomas

INSPECTOR