The Planning Inspectorate

Appeal Decision

Site visit made on 15 December 2021

by M Russell BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 09/03/2022

Appeal Ref: APP/L5240/D/21/3276479
14 Bradmore Way, Coulsdon CR5 1PA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission under section 73 of the Town and Country Planning Act 1990 for the development of land without complying with conditions subject to which a previous planning permission was granted.
- The appeal is made by Mr James Gunn against the decision of London Borough of Croydon.
- The application Ref 21/00110/CONR, dated 11 January 2021, was refused by notice dated 27 May 2021.
- The application sought planning permission for alterations including the erection of a rear roof dormer extension, front dormer roof extension, two rooflights to the front roof slope, single storey rear extension, front porch, adjustments to existing fenestration and doors on the ground floor, and the construction of a pergola to the rear with a raised decking area without complying with a condition attached to planning permission Ref 20/03234/HSE, dated 31 December 2020.
- The condition in dispute is No 2 which states that: The development shall be carried out entirely in accordance with the approved drawings and supporting documents submitted with the application listed below:
  2006/P/130 A (11-12-13), 2006/P/120 A, 2006/P/122 A, 2006/P/140, 2006/P/131 A, 2006/P/001, 2006/P/010.
- The reason given for the condition is: For the avoidance of doubt, and to ensure that the development is carried out in full accordance with the approved plans in the interests of proper planning.

Decision

1. The appeal is allowed and planning permission is granted for alterations including the erection of a rear roof dormer extension, front dormer roof extension, two rooflights to the front roof slope, single storey rear extension, front porch, adjustments to existing fenestration and doors on the ground floor, and the construction of a pergola to the rear with a raised decking area at 14 Bradmore Way, Coulsdon CR5 1PA in accordance with the terms of the application, Ref 21/00110/CONR, dated 11 January 2021, subject to the following conditions:

   (1) The development hereby permitted shall be begun within three years of the date of this permission.

   (2) The development hereby permitted shall be carried out in accordance with the following approved plans: 2006/P/130, 2006/P/120, 2006/P/122, 2006/P/140, 2006/P/131, 2006/P/001, 2006/P/010.

   (3) Unless otherwise specified in the application the materials to be used for the external surfaces of the development hereby permitted along with

work of making good shall be carried out in materials to match those of the existing building.

Procedural Matters

2. Planning Application ref. 21/00110/CONR which led to this appeal was not publicised during the application process. Following receipt of this appeal, the Council has now carried out the appropriate public consultation in accordance with the requirements of Part 3, Paragraph 15 (5) of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (the Order). Whilst no comments have been received in response to the publicity carried out, I am satisfied that all procedural requirements have now taken place and I am in a position to proceed with my decision.

3. The application forms give the applicant's name simply as 'Gunn'. I have included the appellant's title within my banner heading as has been confirmed on the appeal forms.

4. On arrival at the previously confirmed day and time, I was unable to gain access to the site. However, I was still able to obtain a full appreciation of the site and local context from the street. On this basis, I am content that I am in a position to assess the main issue and proceed with my decision.

Background and Main Issue

5. Planning permission was granted on the appeal site for various alterations and extensions to the appeal dwelling[1]. The description of the approved development on the Council's decision notice included amongst other things a 'front dormer roof extension'. Notwithstanding this, other than the approved section drawing (Drawing No 2006/P/140) which shows the side elevation of a front dormer, the approved drawings do not include such a dormer. The appellant subsequently submitted an application seeking to vary Condition 2 to include a front dormer on all proposed drawings. This appeal follows the Council's decision to refuse that application. Having regard to the reason for refusal given by the Council, the main issue is:

6. Whether a variation to the drawings under Condition 2, to include the proposed front dormer extension, would have an acceptable effect on the character and appearance of the area.

Reasons

7. Bradmore Way is a residential street characterised by semi-detached and detached dwellings. There are a range of single-storey and two-storey dwellings on the street. The dwellings mainly have hipped or gable-sided roof forms. The appeal dwelling is a detached gable-sided bungalow. There are several instances on the street where accommodation is provided within the roof space of dwellings. Where this has occurred, larger alterations to roof forms are predominantly provided to rear elevations. In instances where dormers have been provided to front roof slopes, these are mainly modest in scale such as that to the neighbouring bungalow at No 12 Bradmore Way. Overall, these factors combine to give the street frontage a well ordered pleasant suburban character.

[1] LPA Ref. 20/03234/HSE

8. The guidance in the Croydon Council Suburban Design Guide (2019) states amongst other things that extensions and alterations to roofs should ideally be located on the rear elevation of a dwelling and that it will generally not be acceptable to create dormers on the front of a property. The SDG also states that front dormers will only be possible in exceptional circumstances including in locations where they would not negatively impact on the appearance of the street and not disrupt the rhythm of development along a street.

9. The front dormer would be modestly proportioned and centrally aligned with the existing ground floor window. It would be set down within the roof slope with the top of the dormer closely aligned with the ridge of the front projecting gable. Vertical hanging tiles would be applied to the external elevations of the dormer, positively responding to the materials of the host dwelling. As a result, the dormer would not dominate the roof slope and, seen alongside the front dormer on the neighbouring bungalow at No 12, would sit comfortably within the street scene in this particular instance. Accordingly, I am satisfied that the front dormer would fall under the exceptional circumstances set out in the SDG.

10. I conclude a variation to the approved drawings to allow for the inclusion of the proposed front dormer would have an acceptable effect on the character and appearance of the area. In that regard it would comply with the design and local context requirements of Policies SP4 (Urban Design and Local Character) and DM10 (Design and Character) of the Croydon Local Plan 2018 and Policy D4 (Delivering Good Design) of The London Plan (2021).

Other Matters

11. The appellant suggests that differing heights were shown to the single storey rear extension across the previously approved suite of drawings. From the evidence before me, Drawing No 2006/P/130 Rev A (11-12-13) in that instance included a marginal reduction in height to the rear extension. From a visual comparison of this drawing with the respective drawing before me, any difference in height to this element of the proposal would not be highly discernible. Therefore, there would be no material harm to the character and appearance of the area or neighbouring living conditions when compared with the development previously approved. I also note the Council did not refuse the application seeking to vary Condition 2 on this basis. Therefore, this particular matter does not alter my conclusion that the proposed variation to the approved drawings is acceptable.

Conditions

12. I have included similarly worded conditions relating to the timescale for implementation and in respect of materials to be incorporated to those included on the original planning permission by the Council. I have also amended Condition 2 accordingly to include the revised drawings subject of this appeal.

Conclusion

13. For the reasons given the appeal is allowed.

M Russell

INSPECTOR