



Appeal Decision

Site visit made on 9 November 2022

by David English BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 December 2022

Appeal Ref: APP/G5180/W/22/3294142

15 Station Road, Penge, London SE20 7BE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission
 - The appeal is made by Mrs Ema Veseli against the Council of the London Borough of Bromley.
 - The application Ref. 22/00013/FULL6, is dated 5 January 2022.
 - The development proposed is a mansard roof extension.
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Decision

1. The appeal is allowed and planning permission is granted for a mansard roof extension at 15 Station Road, Penge, London SE20 7BE in accordance with the terms of the application, Ref 22/00013/FULL6, dated 5 January 2022, subject to the following conditions:
 - 1) The development hereby permitted shall begin no later than 3 years from the date of this permission.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan; Block Plan; Existing Plans and Elevations – SS 10282; Proposed – SS 10282; Roof Plan – SS 10282/B; and Streetscene – 10282 E.
 - 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.

Main Issue

2. The appeal is made against the Council's failure to determine the planning application within the statutory time period. However, the Council has helpfully confirmed they would have refused planning permission and have provided the reasons they would have given had they been empowered to do so. The reasons are substantially the same as those given in a recent planning application for the same proposal (Council Ref: 21/01879/FULL6). The appeal proposal differs from that earlier planning application only in that it is accompanied by a Planning & Heritage Statement. I have had regard to the reasons provided by the Council in identifying the main issue.
3. The main issue is the effect of the development on the character and appearance of the host property and the area, having regard to the setting of the locally listed buildings at 9 and 11 Station Road.

Reasons

4. The appeal property is located in a short row of houses and commercial premises of varying sizes and designs, most of which are positioned at the back edge of the footway on Station Road having their main front doors opening directly onto that footway. It is a two storey end terraced house with a front elevation faced in yellow bricks with red brick detailing, and pebble-dashed side and rear walls. The appeal property is attached to a similar sized house, 13 Station Road, whose front elevation is finished in a buff-coloured render. A gated access next to the side wall of the appeal property serves a handful of modern commercial buildings located to the rear, and 19 Station Road, a similar house to the appeal property, is on the opposite side of the access. The rear of the house is not readily visible other than from the private commercial buildings and their hardstanding area, and only a very small portion can be seen at distance from the car park adjacent to the nearby Penge East Railway Station.
5. The existing butterfly roof of the appeal property is not visible from the street or other public viewpoints, being screened behind a parapet wall that wraps around the roof of the main part of the house. A lower two storey outrigger to the rear shares a pitched roof with No 13, with the ridge formed along the common boundary with that house. Those roof structures would be replaced by the proposed tile-hung, flat-roofed mansard extension, which would be set back a short distance from the front parapet. The mansard would have two dormer windows in the rear roof plane, and inward opening French doors to the front and side.
6. While Nos 13, 15 and 19 Station Road are houses of a similar scale and shape, I saw during my site visit that this short section of Station Road exhibits many different, but mostly complementary, front elevational treatments, roof forms and sizes. These include the large and imposing four storey property, 1 Station Road, whose top floor comprises an impressive mansard roof. No 1 steps down to two storeys further along the street, and that part of the building has a mono-pitched roof form sloping downwards into the site from the front wall. This is a distinctive, interesting, and visually prominent feature in the street.
7. A block of newer three-storey houses 3, 5 and 7 Station Road include garages at ground floor, they are set back slightly from the footway and set apart from neighbouring buildings by small, gated gaps in the frontage. Each of these three houses include a novel wall dormer where the majority of the height of the windows at the second floor is positioned within the front walls, and a small upper portion of the windows cut through the eaves and into the roof space where they are covered by shallow arched roofs.
8. The locally listed buildings at 9 and 11 Station Road are non-designated heritage assets that are distinctive in their elevational detail, which is particularly eye-catching at the eaves and around the front doors. Both of these houses include small, pitched roof dormers in their front roof slopes. This short section of the street is bookended by the large three-storey building, 23 Station Road, which includes a prominent Dutch gable fronted section which is at right angles to the adjoining pitched roof to No 21.
9. While the colour of materials and the contrasting details used in the construction of the buildings in this section of Station Road are largely consistent along the street, and this adds to its pleasant appearance, other

than the positioning of buildings in relation to the footway, there is no particular and notable consistency or regularity in the overall scale of the built forms. Roof heights rise and fall along the street, as do the positioning, size and style of roofs and windows to rooms in roofs.

10. The proposed mansard would be visible primarily in public views when approaching the blank two-storey side wall of the appeal property, and to a lesser extent, due to the mansard being set back from the front parapet wall, when approaching the property from the opposite direction. I acknowledge that the proposal would result in a different roof shape being created at the appeal property, and that this would be seen as being different to Nos 13 and 19 which, in several respects are similar in appearance to the appeal property.
11. However, when seen close by and in context from both directions, the proposed development would be read alongside the various buildings in the street, which, as I have described, differ markedly in size and appearance. In such circumstances, although the proposed development would introduce a taller form of built development than its immediate neighbours, the form of development proposed would not in itself appear out of place in this section of Station Road, it would add further interest to the side elevation of the appeal property, and I do not find that the proposal would have an unbalancing effect in respect of the built forms in the street.
12. Paragraph 203 of the National Planning Policy Framework ('the Framework') requires that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application and that a balanced judgement, having regard to the scale of harm or loss and the significance of the heritage asset, is required in weighing such applications.
13. The locally listed buildings have a high aesthetic value in their own right. The appeal property comprises a terminal feature to the short terrace in which those buildings are situated and, although not covered by the local listing, it forms part of the surroundings in which the non-designated heritage assets are experienced. However, the proposed development would not prevent the continued appreciation of the visual appeal of those non-designated heritage assets, it would not directly or indirectly alter those features of particular value displayed at the houses, nor would the proposed development impede views of the houses. Accordingly, the ability to appreciate the aesthetic value of those houses would be largely unaltered by the proposed development.
14. The proposed mansard roof would be higher than the roof of No 13 which separates the appeal property from the locally listed buildings. However, much of the proposal would be behind the parapet wall that continues from the appeal property along the front of No 13. The positioning of the proposed mansard would be such that it would not dominate views within the street either close to the site or at a distance, and the street could continue to be appreciated visually in its entirety recognising the variety of forms it presents. I therefore find that this arrangement would cause no harm to the significance of the non-designated heritage assets.
15. Accordingly, having regard to the setting of the locally listed buildings at 9 and 11 Station Road, the development would not harm the character and appearance of the host property or the area. It therefore complies with Policies 6 and 37 of the London Borough of Bromley Local Development

Framework Local Plan (January 2019) which require development to be compatible with its surroundings, be imaginative and attractive to look at and of a good architectural quality that complements the scale, proportion, form, layout and materials of adjacent buildings and the area; and that development should positively contribute to the existing street scene and respect important views and heritage assets, including non-designated heritage assets.

Conditions

16. I have had regard to the conditions suggested by the Council. The conditions I have imposed are necessary to ensure commencement within statutory time limits, in the interests of certainty on the plans approved, and to ensure the character and appearance of the area is not harmed by the materials used in the development.

Conclusion

17. For the reasons given above I conclude that the development would accord with the development plan as a whole and therefore, having regard to all other relevant material considerations, the appeal should be allowed.

David English

INSPECTOR