



Appeal Decision

Site visit made on 20 February 2023

by M Cryan BA(Hons) DipTP MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 31 MAY 2023

Appeal Ref: APP/G5180/D/22/3311147

7 Sherborne Road, Petts Wood, Orpington BR5 1GX

- 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 and Mrs Yussuf against the decision of the Council of the London Borough of Bromley.
 - The application Ref 21/05520/FULL6, dated 24 November 2021, was refused by notice dated 21 October 2022.
 - The development proposed is described as "roof alterations to include two partial hip-to-gable loft conversion with rear dormer and three front rooflights, demolition of garage and erection of two storey front/side extension, elevational alterations and terrace with steps to rear (amendment to permitted ref 18/01104/FULL6) RETROSPECTIVE".
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The appellants indicated in Part E of the appeal form that the description of the development had changed from that stated on the planning application form. I have used the amended description in the banner heading above as it reflects the scheme as it was considered by the Council.
3. The description of development also refers to an earlier planning permission¹ which was granted on appeal in 2018² ("the 2018 permission" and "the 2018 appeal"). I have reached my decision in this case based on the planning merits of the proposal before me in its own right. Nevertheless, the 2018 permission and appeal decision are material considerations, and as several points made by both main parties in this case refer to the 2018 permission I return to it at relevant points in my reasoning below.
4. As also indicated in the description above, the development for which planning permission is being sought has been substantially completed, and I was able to view it at the time of my site visit.

Main Issue

5. The main issue is the effect of the development on the character and appearance of the area.

¹ LPA Ref: 18/01104/FULL6

² PINS Ref: APP/G5180/D/18/3207190

Reasons

6. The appeal concerns a two-storey detached inter-war dwelling on the north side of Sherborne Road in the Petts Wood Garden Estate, a predominantly residential area. The wider suburban neighbourhood contains housing with a broad variety of type, design and detailing, and the appellants describe the area as having something of a “mixed character”.
7. Around the appeal site, I saw that there are a number of common features which crop up again and again in the properties at the western end of Sherborne Road (and around the corner into Sefton Road). These are typical of the period in which the housing was built, and include round-arched inset front porches and, for detached houses, asymmetric front elevations with prominent two-storey bays. Commonly-used materials include red roof tiles, red brick and white painted rendered walls (with varying proportions of render to brick), often with dark timber beams inset into the rendered sections.
8. Furthermore, although many of the neighbouring properties have been extended or altered over the years, including with roof alterations including dormer windows, there remains a broad consistency in scale and form as well as in detailing and materials. As a result, although the housing could not sensibly be described as uniform, there is nevertheless a strong degree of coherence in its appearance which contributes to the area’s smart, orderly and well-kept character.
9. The appellants are seeking planning permission for a scheme comprising the demolition of a garage at the western side of the building and its replacement with a two-storey front/side extension, roof extensions with half-hipped sides, a dormer within the rear slope, and three rooflights on the front slope, and a terrace in the rear garden. As I have already explained, the development had been substantially carried out by the time of my site visit.

Roof alterations

10. I note that the development allowed by the 2018 permission included a half-hip at the eastern end (above the new extension) but would have retained the hipped roof at the western end above the main front bay. The roof as built is half-hipped at both sides. The appellants suggest that “in contrast to the previously approved scheme, it results in a roof design that appears visually balanced and symmetrical”. However, as I have described above, symmetry is not a prevalent feature of the area. The bulk and form of the roof at the eastern end of the property has diminished the main bay below; instead of the bay being the dominant feature of the frontage (as can still be seen on, for example, Nos 1, 3, 5, 13, 15 and 17 Sherborne Road, even though many of these appear to have also had roof extensions or alterations) it is overwhelmed by the mass of roof above.
11. The use of large grey roof tiles has also served to draw the eye, emphasising the bulk and mass of the new roof and underlining the obvious difference between its form and those of most of the neighbouring dwellings. The appellants referred to properties nearby – although not within the appeal property’s immediate context – at No 33 Sherborne Road, No 27 Sefton Road, and No 87 Sutherland Avenue where grey tiles have been used. I was able to see the first two of these during my site visit and, while I do not know the circumstances in which they came into being, neither appears to me to be

especially in keeping with the prevailing character and appearance of their surroundings; they are isolated examples which do not carry significant weight in favour of the appeal scheme.

12. The rear dormer is set slightly back from the main roof eaves, and slightly below the rear ridge. It also sits in from the sides of the roof, although by a distance which on my visual inspection appeared to be considerably less than that shown in the submitted drawings (I return to this point in the "other matters" section below). In my view the dormer is large, bulky and unsympathetic and, while the appellants contend that it "has been designed so that it does not overly dominate the rear roofslope" having seen it from the rear garden I do not think that this aim has been achieved. I saw that the rear roofs of neighbouring properties (including dormer extensions on Nos 9 and 11) were visible from the back garden of No 7. It seems reasonable to assume that the new dormer on the appeal property would be equally visible from neighbours' rear gardens on either side, from where it would be somewhat dominant.
13. The upper parts of the rear dormer cheeks can be seen from Sherborne Road either side of the front of the appeal property. This causes some minor visual disruption to the roof line, but this is not to the extent that the dormer has become a prominent or intrusive feature in the streetscene (although I recognise that this is in part because it is screened by the half-hip at the eastern end of the house, which has caused its own harm as I have identified above).
14. The appellants drew my attention to a rear dormer granted planning permission at No 11 Sherborne Road in 2022³ which, it was argued, would be comparable to that in this appeal. However, the approved drawings for the dormer at No 11 show it with a part-pitched half-hipped roof design, which would go at least some way towards making it a less bulky and dominant addition⁴. There is a sufficient degree of difference of form that the scheme approved at No 11 is not directly comparable to development before me.

Separation distance from No 5

15. Policy 8 of the 2019 Bromley Local Plan ("the BLP") requires that, for residential development proposals (including extensions) of two or more storeys in height, a minimum 1m space from the side boundary should be retained for the full height and length of the building. Among other things, this is intended to prevent residential streets from becoming cramped in their appearance and to prevent a visual "terracing" effect. The Council considers that the western side extension is only 0.9m from the shared boundary, though the appellants have stated that the separation shown on the submitted "as built" drawing⁵ is 1m, and that any discrepancy would be "likely to result from the slightly angled alignment" of the site boundary.
16. Neither the submitted drawings nor my observations on site were conclusive on the matter of the precise separation distance. However, the appeal site bounds the single-storey garage of No 5, which has a pitched roof to its front, and

³ LPA Ref: 22/00516/FULL6

⁴ Although I have referred above to a dormer at the rear of No 11, that which I saw on my site visit was flat topped rather than of a half-hipped design. I therefore cannot be certain that the dormer I viewed is the result of the 2022 planning permission to which the appellants referred.

⁵ Drawing 7 SHERBORNE - P -08 Rev: B

there is a much greater separation at first-floor level. While the separation between Nos 5 and 7 may or may not be slightly less than the 1m minimum required by Policy 8, I saw that this has not resulted in the two dwellings appearing cramped, nor in there being a terracing effect.

Findings on the main issue

17. The alterations which have been made to the roof of the appeal property have given it a considerable bulk which is detrimental to the overall appearance of the dwelling. The most significant harm has mostly arisen because of the form of the half-hipped eastern end, which overwhelms and dominates the principal bay, though the general impact has been exacerbated by the unsympathetic choice of roofing material. The dormer is cumbersome and intrusive, although the harm caused by this element of the scheme on its own is somewhat limited by its location at the rear of the property. Part of the appellants' case has been the argument, or at least the implication, that this appeal scheme represents relatively minor variations from the 2018 permission. However, for the reasons which I have already set out, their cumulative and collective impact is significant.
18. The Inspector determining the 2018 appeal considered that scheme acceptable in the light of "the variety of permitted schemes nearby that have determined the wider context". As I have described, although the area contains a variety of housing types, and many which have been altered over the years, as I have described I find that in many respects the development before me goes beyond the general parameters which may have been set by other permitted schemes nearby. It is also notable that the Inspector referred in the 2018 appeal decision to the proposed materials being acceptable and matching the appeal property as it then was; in this case the use of unsympathetic roofing material is one of the factors which I have found to cause harm. The extent of the differences between this scheme and the proposal in the 2018 means that my reaching a different conclusion to my predecessor is entirely justified.
19. The development has caused significant harm to the character and appearance of the appeal property and the wider area. I therefore conclude that it does not comply with Policies 6 and 37 of the BLP, or with Policy D4 of the London Plan 2021. Together, and among other things, these policies seek to ensure that all development (including residential extensions) is well-designed, and complements the scale, form and materials of the host dwelling, adjacent buildings, and the surrounding area.
20. For the reasons I have given in paragraph 16 above, it was not possible for me to precisely determine the side separation distance between the appeal property and No 5. Even if I had been certain that the development did not meet the technical requirement of Policy 8 of the BLP though, the lack of harm which I have found resulting from any shortfall in this respect is a material consideration which could have justified making a decision other than in accordance with the development plan, had the development been acceptable in all other respects. However, given the harm I have found on other points this is not a consideration which could alter my overall conclusion.

Other Matter

21. As I have described in paragraph 12 above, the rear dormer which has been built looked to me during my site visit to be considerably broader than that

shown on the submitted “as built” drawings. I also noticed what appeared to be further discrepancies, including the position of rooflights on the front roof slope, the position and siting of windows, the form of the smaller front bay (on the left hand side, viewed from the street) which was shown with a gable but built with a hipped roof, and the use of a render finish for the whole front elevation (rather than brickwork for the ground floor as shown). Some of these are relatively minor differences, others less so. However, I have not sought clarification from the appellants on these points as, given the harm I have found on the main issue, it would have made no difference to the outcome of the appeal.

Conclusion

22. The scheme conflicts with the development plan taken as a whole. There are no material considerations, including the provisions of the National Planning Policy Framework, which indicate that a decision should be made other than in accordance with the development plan.

23. For the reasons given above, the appeal is therefore dismissed

M Cryan

Inspector