



Appeal Decision

Site visit made on 13 June 2023

By Terrence Kemmann-Lane JP DipTP FRTPI MCMI

an Inspector appointed by the Secretary of State

Decision date: 28th June 2023

Appeal Ref: APP/G1580/D/23/3316535

32 Wimborne Avenue, Chislehurst, BR7 6RQ

- 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 Ademola Adeyemo against the decision of Bromley London Borough Council.
 - The application Ref DC/22/02352/FULL6, dated 12 June 2022, was refused by notice dated 9 January 2023.
 - The development proposed is amendment to permitted roof design (ref: 20/05134/FULL6) to accommodate a loft conversion and roof extensions to the existing stairs to access the loft.
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Decision

1. The appeal is allowed and planning permission is granted for an amendment to permitted roof design (ref: 20/05134/FULL6) to accommodate a loft conversion and roof extensions to the existing stairs to access the loft, at 32 Wimborne Avenue, Chislehurst, BR7 6RQ, in accordance with the terms of the application, Ref DC/22/02352/FULL6, dated 12 June 2022, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 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; WBR-OJA-xx-1900 A 210, Rev P01; WBR-OJA-xx-1900 A 212, Rev P02; WBR-OJA-xx-1900 A 213, Rev P02; WBR-OJA-xx-1900 A 214, Rev P02; WBR-OJA-xx-1900 A 217, Rev P02; WBR-OJA-xx-1900 A 218, Rev P02; WBR-OJA-xx-1900 A 221, Rev P02; GS-ARC-20-01-PL21; GS-ARC-20-01-PL22; and GS-ARC-20-01-PL23.
 - 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 main issue in this case is the effect of the proposed dormer on the host dwelling, the streetscene and the character of the Marlings Park Estate Area of Special Residential Character.

Reasons

3. The site lies within the Marlings Park Estate Area of Special Residential Character (ASRC). The property is stepped back from both neighbours due to the curvature in the Avenue. It has white rendered facades with clay tile pitched roof. The surrounding area has a strong suburban character, with properties unified by a consistent palette of materials. There are a variety of roofs forms in the area, giving a sense of individuality to each property.
4. The appeal property is a two-storey detached dwelling located on the western side of Wimborne Avenue. The front elevation has a main hipped roof, with a short ridge parallel to the road, with a forward projecting wing on the southern side, under a lower roof, also hipped. The appeal proposal is an amendment to a permitted roof design under ref: 20/05134/FULL6, to incorporate a loft conversion and roof extension, consisting of an enlarged gable roof to the rear, and a side dormer at second floor level. It is this side dormer which is the subject of the refusal reason.
5. The contentious dormer is proposed in the northern slope of the roof which extends out behind the original hipped roof, with a ridge on the centreline, and ending in a rear gable. The dormer is thus set well back from the front elevation, but would be open to view from the north because the neighbouring house, at No.30, is set further back in its plot.
6. In seeking to understand the council's assessment that lays behind the refusal reason, I note that the officer remarks that "*dormers are not a common feature within the ASRC and the proposed dormer would appear different to the few other examples within the wider area (including the neighbouring property) given that it would be set at a higher level within the dwelling at second floor level, it would result in it appearing much more prominent and visible within the street scene*". It was therefore not considered to be a sympathetic addition to the host dwelling, and out of character within the ASRC.
7. At my site visit I saw that there are a number of dormer windows in the immediate area, including a very similar dormer, in position and size to that now proposed, on the northern roof slope of No.30, albeit that it is at first-floor level. Indeed, in both Kevington Drive and Berens Way, either side of this stretch of Wimborne Avenue, there are numerous dormers, although again at first-floor level. I understand that both Kevington Drive and Berens Way are within the ASRC.

Conclusions

8. I conclude that dormers are a common feature, at least in the neighbouring part of the Marlings Park Estate ASRC, and that the proposed dormer would not be at odds with the character of the area. Furthermore, whilst the proposed dormer is set at second-floor level, it would not be materially different in its effect on the streetscene than the similar dormer of the neighbouring property. The fact that it would be set well back from the frontage contributes to the conclusion that there would be no harmful effect on the appearance of the existing dwelling, the streetscene or the character of the Marlings Park Estate Area of Special Residential Character.

9. The appellant indicates that it is intended that the verdant and open frontage of the plot will be retained thus helping to preserve the important attributes of the ASRC. The existing planting also screens the appeal side from the public domain to a considerable extent. Whilst it is highly desirable that the existing planting is retained, for the contribution that it makes to the streetscene, I have nevertheless judged the effect of the dormer on what would be seen without the screening.
10. For the reasons I have given, I will allow the appeal.

Conditions

11. The statutory condition that provides a time limit on the start of development must be imposed. In addition, the council has suggested 2 additional conditions in the event that the appeal is upheld. I have considered these in the light of Planning Practice Guidance (PPG). I consider that the conditions should be imposed for the following reasons: condition 2 is required for certainty and avoidance of doubt as to the development permitted; and condition 3 is to ensure that the appearance of the development permitted integrates with the existing in a visually satisfactory manner.

Terrence Kemmann-Lane

INSPECTOR