



Appeal Decision

Site visit made on 26 September 2023 by S Wilson LL.B. MSc MRTPI

Decision by John Morrison BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 1st November 2023

Appeal Ref: APP/G5180/D/23/3327866

39 Broadoaks Way, Bromley BR2 0UA

- 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 Edward Allsopp against the decision of the Council of the London Borough of Bromley.
 - The application Ref DC/23/01356/FULL6, dated 5 April 2023, was refused by notice dated 2 June 2023.
 - The development proposed is described as 'Partial garage conversion to habitable space. Single storey rear extension. Loft conversion with 2x rear dormers, Juliet balconies, front/side rooflights and elevational alterations.'
-

Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary Matter

3. The description of development has changed from that stated on the application form. Nothing indicates a change was agreed however, it accurately describes the proposal, does not alter anything fundamental and it is used on the appeal form. I have proceeded with reference to it above.

Main Issue

4. Whether the proposed development would preserve or enhance the character or appearance of the Broadoaks Conservation Area (BCA).

Reasons for the Recommendation

5. The significance of the BCA can be found in the layout, form and materials used. Residential properties, including the appeal building, are drawn from a cohesive palette, including mock Tudor timber frame gables with masonry rendering, large hipped roofs, front hipped dormers, bay and top opening windows and traditional small clay roof tiles. The large hip roofs are a dominant visual element of the BCA. The appeal property and the majority of others are very well preserved.
6. The proposal would not raise the ridge height or affect the front roof slope of the dwelling. However, the dormers would occupy almost all of the rear roof slope, being high and wide in their design with two dual pitched roofs and set

in and down only slightly. The design of the fenestration, particularly their size, and roof type would be contrary to the traditional form and features that make up the cohesive palette of the BCA and contribute positively to its character and appearance. The dormer would, as a result, appear overly large, dominating the rear roof slope of the host dwelling and detrimentally affecting its quality as an example of its type. The fact the dormers would be to the rear would not reduce their effect and subsequent harm, in the above terms, to the BCA. They would in any case be highly noticeable from a number of surrounding gardens. The appeal scheme would, with this in mind, fail to preserve or enhance the character or appearance of the BCA.

7. Given the scale and location of the proposed development, the harm to the BCA would be less than substantial in the terms of the National Planning Policy Framework (2023) (the Framework). Nevertheless, it is a matter of considerable importance and weight. I am required to balance this harm against the public benefits of the proposal. The proposal offers a private benefit to the appellant in providing more space. There are however no other public benefits advanced that would be capable of outweighing the harm to the BCA. Accordingly, it would fail to comply with Policies 6, 37 and 41 of the Bromley Local Plan (2019). Amongst other things, these policies set out that dormer windows should be of a size and design appropriate to the roofscape, development should be of a high quality design generally and the character and appearance of conservation areas should be respected.

Other Matters

8. I cannot be certain under what regime other side dormers were granted, whether they were the result of the original development, installed under permitted development or even if they had a planning permission. They can be therefore afforded only limited weight. I have seen the two dormers at No 35. Firstly, they are different to the appeal scheme. They are closer together and designed differently in specific regard to their roof and cheeks. They are prominent and fill much of the roof however, the Council found them to be acceptable. I have set out reasons above as to why the appeal proposal would not be.

Conclusion and Recommendation

9. There would be conflict with the development plan and there are no material considerations, including the Framework and worthy of sufficient weight, that would indicate a decision otherwise. The appeal should therefore be dismissed.

S Wilson

APPEAL PLANNING OFFICER

Inspector's Decision

10. I have considered all the submitted evidence and my representative's report and on that basis the appeal is dismissed.

John Morrison

INSPECTOR