



Appeal Decision

Site visit made on 10 July 2024 by S Indermaur MRTPI

Decision by Martin Seaton BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 04 OCTOBER 2024

Appeal Ref: APP/G5180/D/24/3344118

Lakeside, Gwydyr Road, Bromley BR2 0EX

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Dr M Asaad against the decision of the Council of the London Borough of Bromley.
 - The application Ref is DC/23/03529/FULL6.
 - The development proposed is a loft conversion with rear dormer and roof lights.
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Decision

1. The appeal is allowed and planning permission is granted for a loft conversion with rear dormer and roof lights at Lakeside, Gwydyr Road, Bromley BR2 0EX. In accordance with the terms of application DC/23/03529/FULL6 subject to the following conditions:
 - The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - The development hereby permitted shall be carried out in accordance with the approved plans: 01 Rev. D, 02 Rev. D, 03 Rev. C, & 04 Rev. D.
 - 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.

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.

Main Issue

3. The Council has raised no concerns in respect of the rooflights and on the basis of the evidence before me and my own observations, I have no reason to find differently in this regard. However, disagreement remains regarding the remainder of the proposed development.
4. The main issue is therefore the effect of the proposal on the character and appearance of the host dwelling and street scene.

Reasons for the Recommendation

5. The appeal property is a two-storey detached dwelling with a small gap between the property and the adjacent neighbouring dwelling. There is mature

vegetation to the rear of the property and a lake located north of the property. The property is situated at the end of a street which consists predominantly of pairs of semi-detached dwellings. The adjacent neighbouring property has a two-storey outrigger to the rear.

6. The appeal dwelling possesses a gable roof with a bay window at ground floor, similar to the other properties on this road. However, the host property is set back from the established building line of the row of houses and has a higher ridge line than the rest of the properties. In addition, the appeal property juts out at first floor with a rendered flat façade and possesses windows that are different shapes, sizes and positions. Given the inconsistency of existing window design and arrangement, the proposed absence of rear windows and insertion of a window in the flank elevation would not appear uncharacteristic or harmful on the appeal property.
7. I recognise that dormer roof extensions that are similar in design to the proposal are not commonly found within streets in the locality. However, in this case, the appeal property is of a bespoke design and the proposed extension would not detract from the existing appearance. The development would incorporate complementary materials to match and would sit comfortably within the context of the existing roof. Consequently, I am satisfied that the scale, design and form of the dormer would respect the host dwelling.
8. I accept that the development would be visible from neighbouring dwellings, but it would not be highly visible from the street scene due to the proximity to the neighbouring properties and existing mature vegetation to the rear of the dwelling. I am satisfied that it would not therefore harm the setting and appearance of adjacent buildings and the area.
9. For the reasons detailed above, the proposal would not cause harm to the character and appearance of the host dwelling and the street scene. The proposal would therefore accord with Policies 6 and 37 of the Bromley Local Plan (2019), which together seek development that positively contributes to the existing street scene.

Other Matters

10. The Council has made reference to a previous appeal on the site. The appeal which was for a loft conversion to include a rear dormer with a Juliet balcony and two front roof lights (*APP/G5180/D/23/3315190*), was dismissed on 9 August 2023. The main issue was with regards to the living conditions of the adjacent neighbour in terms of outlook and privacy. However, the scheme has evolved since then and I note that the Council is now content with the revised proposals in this regard.
11. The neighbours have raised concerns regarding overshadowing and loss of light to the rear of their property. However, I observe that the proposal would extend up from above the eaves and below the ridge, therefore the dormer would therefore not project out further than the existing building line. I am satisfied that the combination of the position of the proposal and the orientation of the appeal site would not therefore result in any significant harm to the living conditions of the neighbouring property.
12. Further concerns have been raised regarding the potential for damage to the neighbouring property, and inaccuracies with the plans. The attribution of

external cracks on the neighbouring property to the appeal site is not a matter which directly addresses the planning merits of the case. With regards the contended inaccuracies of the plans, the appeal must be determined on the basis of the plans submitted to, and determined by, the Council, and the determination of the appeal has ultimately been premised on both the submitted evidence and observations of the site itself. The approved development must be built in accordance with the approved plans.

Conditions

13. In addition to the standard time period for commencement of the development, a condition has been recommended requiring the development accord with the approved plans, as this provides certainty and precision. A condition to ensure that the external finishing materials of the extension match those of the existing dwelling in the interests of the character and appearance of the host dwelling and immediate area.

Conclusion and Recommendation

14. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be allowed.

S Indermaur

APPEAL PLANNING OFFICER

Inspector's Decision

15. I have considered all the submitted evidence and my representative's report and on that basis the appeal is allowed, subject to the conditions as listed.

Martin Seaton

INSPECTOR