
Appeal Decision

Site visit made on 16 February 2016

by Richard Aston BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 15 March 2016

Appeal Ref: APP/D5120/D/15/3140310

29 Edison Road, Welling

- 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 Janson against the decision of the Council of the London Borough of Bexley.
 - The application Ref 15/02233/FUL, dated 14 September 2015, was refused by notice dated 26 November 2015.
 - The development proposed is two storey side and two storey part single storey rear extensions.
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Decision

1. The appeal is allowed and planning permission is granted for two storey side and two storey part single storey rear extensions at 29 Edison Road, Welling in accordance with the terms of the application, Ref 15/02233/FUL, dated 14 September 2015, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plan: 2015/176.
 - 3) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no windows other than those expressly authorised by this permission, which shall at all times be maintained with obscure glass, be non-opening up to 1.7m above floor level and with those openable parts being inward opening, shall be constructed in the side elevations of the extensions.
 - 4) Prior to the beneficial use of the development hereby approved pedestrian/vehicular intervisibility splays of 2.4m x 2.4m shall be provided in each direction where the access meets the back edge of footway, and shall be permanently retained free from any obstruction to visibility higher than 0.6m above the level of the adjoining highway.
 - 5) None of the extensions shall be occupied until the surface water drainage works have been completed in accordance with the submitted and approved plans.
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Main Issues

2. The main issues are the effect of the proposal on the character and appearance of the host property and area and the effect on the living conditions of the occupiers of 31 Edison Road, with particular regard to overbearing outlook.

Reasons

Character and appearance

3. The appeal property is a two storey semi detached dwelling constructed from brick and render with a hipped and tiled roof. The surrounding area is residential in character and predominantly consists of two and single storey dwelling types of different designs that appeared to have benefitted from a variety of different extensions and alterations. Whilst there are gaps between the properties along Edison Road these are relatively small and result in a fairly densely developed character and appearance. There is a small pedestrian access running in between the appeal site and No 27 Edison Road, which gives access to the rear of No's 7-27.
4. Although the proposal is for a substantial addition to the dwelling the side element would be set back from the front elevation of the dwelling, the roof would be slightly lower than the existing ridge and it would match the form and appearance of the existing roof, when viewed from the street. When combined with the siting of the appeal property, which is set back from No 27 and the proportionate width of the side extension, this element would not appear as an overly prominent or unduly dominant addition when viewed from Edison Road and its design would not be out of keeping.
5. The rear two storey element would be wide and there would be a minimal gap between its flank wall and the existing first floor rear bedroom window. The proposal would also be visible from the garages to the rear of the site. Despite this, its depth would not be excessive and the ridge line of the rear hipped element would be lower than the existing ridge. Moreover, an appropriate amount of amenity space would be retained to the rear. In my view, whilst it would be a substantial cumulative addition to the property the proposal would not result in the overdevelopment of the appeal site that would be at odds with the character and appearance of the area or detrimental to the visual interests of its surroundings.
6. I also note the officer's view that proposal complies with the Council's Design and Development Guideline 2 which requires that single storey rear extensions sited along a common boundary with an attached property should not exceed 3.5m in depth and 3.1m in height to eaves level and two storey rear extensions should be set back from the common boundary by at least 2m¹.
7. For these reasons the proposal would not cause harm to the character and appearance of the host property and the area and would not conflict with Policies H3 of the Bexley Council Unitary Development Plan 2004 ('UDP') which, when read as a whole, requires that development should be compatible with the character and appearance of the area, including its scale, massing and potential cumulative effects.

¹ 182 of the Planning Officer Report.

Living conditions

8. The extensions would be conspicuous from the rear conservatory attached to the rear of No 31 but less so from the internal living accommodation. However, the single storey element would be set slightly in from the boundary, extending to a depth of approximately 3.5m and constructed with a mono pitched roof, sloping down from underneath the existing first floor window sill level to an eaves height of approximately 2.7m.
9. The predominant outlook from the conservatory and internal accommodation of No 31 would still be into the rear garden. Moreover, the overall scale of the single storey element and the distance from the boundary to the two storey element would combine to result in a proposal that, in my view, would not unacceptably draw the eye to it and would not be oppressive or create an overbearing outlook for the occupiers of No 31 when using their internal living accommodation, conservatory or garden.
10. For these reasons, the proposal would not result in harm to the living conditions of the occupiers of No 31 Edison Road in terms of an overbearing outlook and would not conflict with Policy H9 of the UDP which, amongst other things, requires extensions or alterations to residential property to not adversely affect the outlook of adjoining properties.

Other Matters

11. I acknowledge the representations from the occupiers of No 31 with regard to their concerns about a reduction of light and overshadowing. However, given the design and scale of the extensions and the orientation of the properties, I do not consider that a harmful loss of light or overshadowing would occur in this instance, even in the winter months. I also note that this was not a specific concern of the Council in refusing planning permission.
12. Issues of the effect on the sewer system and construction matters, including damage to adjoining properties, the ability to construct the extension and the quality of construction have no bearing on the planning merits of this appeal and would fall to be considered under the Building Regulations. Concerns regarding the potential for obstructing the side access during construction also have no bearing on the planning merits of the appeal and are not matters for me to address. I also note the concerns in relation to the safety of the passageway and on street parking pressure but these did not form part of the Council's reason for refusal and I note that there have been no objections from the relevant consultees, subject to conditions. I agree and do not consider that the proposal would result in any harm to highway safety or the general safety of residents using the passage, subject to the condition suggested by the Council.

Conditions

13. I have considered the conditions put forward by the Council and have amended the wording where necessary in the interests of clarity. I consider a condition is required to ensure compliance with the approved plans, for the avoidance of doubt and in the interests of proper planning. To protect the privacy of adjoining properties a condition is necessary to limit construction of windows to that authorised by the permission, that they are obscurely glazed and inward

opening and that no further windows shall be constructed in the side elevations of the extensions.

14. The Council has put forward a condition to ensure that pedestrian visibility splays are undertaken and kept free from obstruction, and in the interest of highway safety I agree that this condition is necessary. I also agree with the Council that the surface water drainage works shown on the plans should be implemented prior to occupation in order to prevent flooding and accumulation of water.

Conclusion

15. For the reasons given above and having considered all other matters raised, I therefore conclude that the appeal should be allowed.

Richard Aston

INSPECTOR