

Appeal Decision

Site visit made on 26 October 2016

by Mr Kim Bennett BSc DipTP MRTPI

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

Decision date: 2 November 2016

Appeal Ref: APP/D5120/D/16/3157702

11 Deepdene Road, Welling DA16 3QL

- 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 Kamlesh Chotai against the decision of the Council of the London Borough of Bexley.
 - The application Ref 16/01342/FUL, dated 31 May 2016, was refused by notice dated 22 July 2016.
 - The development proposed is a first floor side and part rear extension.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the host dwelling and the area.

Reasons

3. The appeal property comprises a semi-detached house on the corner of Deepdene Road and Ruskin Avenue. It has a single storey flat roofed extension which extends alongside the northern boundary of the property, up to the back edge of the footpath in Ruskin Avenue, and returns across the full width of the property at the rear. There are similarly designed semi-detached houses along both Deepdene Road and Ruskin Avenue, many of which have been extended at the side with two storey extensions, but with different design detailing.
4. The Council appears to raise no objections to the principle of a first floor extension, and given the number of extensions in the immediate vicinity I agree that it would not be out of character necessarily. The issue however is the detailed design of the proposed extension itself. In that respect, the appellant argues that the extension would be subordinate and proportionate to the existing dwelling and reflects the pattern of other extensions in the area.
5. However, whilst the first floor plan and roof plan on drawing no 03 indicate that the first floor would be set back on the front elevation, that is not reflected on the front or side elevations and main roof shown on drawing no 04 where no setback is indicated. There is inconsistency between the plans therefore and I am unclear as to what is being proposed. That seems to be reflected in differing views between the main parties in that the Council considered there was no setback in its officer report, whereas the appellant referred to a setback

in the grounds of appeal. Without clarification and given the uncertainty from the evidence before me, I cannot be certain that a setback is proposed.

6. Looking at the elevations I agree with the Council that the lack of setback shown on the drawings in the elevation and roof line, together with the width of the proposed development, would give rise to an extension which would not be subservient to the existing dwelling and would cause visual harm as a result. That would be exacerbated by the awkward parapet detailing on the side elevation which would result in a greater bulk and massing on the return frontage to Ruskin Avenue. In that respect I did not see such detailing on other similar extensions in the area.
7. Because of its corner location, the extension would be particularly prominent when looking east along Ruskin Avenue. From that direction, the rear first floor extension would be a greater width than the original width of the property and with a large pitched roof. Together, the two elements would subsume the original form of the property. Additionally, it would extend up to the back edge of the footpath in Ruskin Avenue and well forward of the established building line along that road. I consider that a combination of the two issues would result in it being visually intrusive in the street scene, which would be harmful.
8. The appellant referred me to similar examples of extensions in Deepdene Road, Ruskin Avenue and Edmund Avenue. However I noted that in most cases there was either a setback in the front elevation or some form of break in the roof slope, which helped to assist in the extensions appearing as subservient to the main dwelling. I also noted other examples where that had not been the case and which in my view clearly illustrates the harm which would result were the current proposal to proceed with the detailed design for the proposed elevations as shown on drawing no 04 of the submitted plans. Whilst the appellant also refers to two appeal decisions, I note that they are not in the same locality or even in the same authority area. The background or details of those examples are not before me in any event, and such cases tend to be determined on the individual merits of particular site circumstances as the appellant acknowledges. Accordingly they have not been decisive in my findings above.
9. Finally, I have also had regard to the third party objections raised. The issue of a building joist on the party wall would be considered under Building Regulations as well as being a civil matter between the parties. There is no evidence before me that levels of parking or noise would be increased significantly as a result of the extension and I note that the Council has raised no objections in those respects, a view with which I agree.
10. For the above reasons, the proposed design of the extension would be harmful to the character and appearance of the host dwelling and the area. It would therefore be contrary to Policies ENV39 and H9 of the Council's Unitary Development Plan 2004, Policy CS07 of the Core Strategy 2012 and the Design and Development Control Guideline 2, in that it would not be well designed or compatible with the existing building or surrounding area. Accordingly the appeal should be dismissed.

Kim Bennett

INSPECTOR