

Appeal Decision

Site visit made on 15 December 2016

by Gary Deane BSc (Hons) DipTP MRTPI

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

Decision date: 3 January 2017

Appeal Ref: APP/D5120/D/16/3159429

2 Margaret Road, Bexley DA5 1DU

- 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 Ms Georginna Summers against the decision of the Council of the London Borough of Bexley.
 - The application Ref 16/01176/FUL was refused by notice dated 7 July 2016.
 - The development proposed is described as the erection of a part 2-storey side extension, part single storey rear extension.
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Decision

1. The appeal is dismissed.

Procedural matter

2. The description of development in the above heading is taken from the application form. However, Part E of the planning appeal form, which was completed by the appellant, indicates that the description of development has changed and a different wording has been entered. The description on the planning appeal form refers to the proposal as a part 1/2 storey side and rear extension incorporating a front porch. From my inspection of the drawings, this revised description more accurately reflects the development sought. I have assessed the proposal on that basis.

Main issues

3. The main issues are the effect of the proposed development on:
 - the living conditions of 18 Coronation Close, with particular regard to outlook, light, visual impact and sense of enclosure, and on the occupiers of 17 and 19 Coronation Close mainly with reference to outlook; and
 - the character and appearance of the local area.

Reasons

Living conditions

4. The proposed development includes a 2-storey side extension along the full depth of the appeal property, which is a 2-storey semi-detached house that lies within a predominantly residential area. The flank wall of the new 2-storey addition would be close to and parallel with the side boundary of the site. In
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this position, it would face towards the rear of 18 Coronation Close, which broadly stands at right angles to No 2. The new 2-storey sidewall facing the rear of No 18 would extend across the full width of the rear boundary of this house. In doing so, it would project noticeably above the timber fence that marks the common boundary between these adjacent properties.

5. From the rear windows of No 18 and back garden, views of the new 2-storey sidewall would be direct and at reasonably close range. A line of trees alongside the fence near to the site would largely screen and visually soften the new built form when seen from the rear of No 18. However, the presence of soft landscaping cannot be relied on as it can be cut back or removed at any time. That outcome is possible in this instance given that the new sidewall would be close to these boundary trees and their roots could be harmed by the excavation required for construction or the diminution of space once the new built form is in place. While the appellant's consultant considers that these trees would be unaffected given that their root systems are very dense and compact, there is limited evidence before me to support that judgement. Having viewed the rear of No 18 from the site, I consider that the new 2-storey sidewall would unacceptably dominate the outlook from the rear of No 18.
6. There would also be some loss of sunlight to the rear of No 18 in the earlier part of the day due to the overshadowing effect of the new 2-storey extension, which would stand just to the southeast. The effect of overshadowing would accentuate the imposing presence of the new 2-storey sidewall, causing it to overbear on the occupiers of No 18, especially when seen from their back garden. Due to its scale, height and position, the proposal would also lead to an unacceptable sense of enclosure for the occupiers of this adjacent property.
7. The proposal would also be evident from the rears of the properties on either side of No 18, which are 17 and 19 Coronation Close that similarly back onto the site. Views of the new 2-storey addition would be at an oblique angle and from slightly further away than No 18. Only the upper section of the single storey side and rear extension would be in direct view from No 17. Consequently, the sense of space to the outlook beyond the rears of No 17 and 19 would not be unduly eroded by the proposal.
8. It is true, as the appellant suggests, that the trees alongside the side boundary of the site would present a significant feature when seen from neighbouring properties. Nevertheless, these trees would be visually softer on the eye and would allow natural light to filter through their foliage. Their presence would contrast with that of the solid form of construction of a permanent 2-storey wall, as proposed. As a result, these trees would not overbear on the occupiers of nearby properties in the same way that the new development would.
9. On the first main issue, I conclude that the proposed development would significantly harm the living conditions of the occupiers of No 18. Accordingly, it is contrary to Policies ENV39 and H9 of the Council's Unitary Development Plan (UDP) and the Design and Development Control Guidelines (D&DCG) insofar as they aim to safeguard residential amenity. It would also be at odds with a core principle of the National Planning Policy Framework (the Framework), which is to always seek to secure a good standard of amenity for all occupants of land and buildings.

Character and appearance

10. The D&DCG states that a 2-storey side extension should be designed to be subordinate to the main dwelling, which would not be achieved in this instance given the considerable scale of the proposal relative to the existing dwelling. Moreover, the appeal scheme would result in a significantly larger property with an extended principal elevation facing the road. With no set back to mark the transition between the side extension and the host building, the proposal would be at odds with the D&DCG, which states that a 2-storey side extension should ideally include a set back in the front elevation of the extension.
11. By significantly elongating the front façade of No 2, noticeably adding to its scale and mass and introducing a front porch to the new façade, the proposal would disrupt the general symmetry between the two dwellings as a broadly matching pair by unbalancing their front elevations. The awkward relationship between No 2 and its attached counterpart would be evident from Margaret Road on the immediate approach to the site in both directions. As the only example of such an arrangement within a pair in the local street scene to which No 2 belongs, I consider that the proposal would be obtrusive and an uncharacteristic addition to the area.
12. On the second main issue, I therefore conclude that the proposed development would significantly harm the character and appearance of the local area, in conflict with Policies ENV39 and H9 of the Council's UDP and the D&DCG. These policies and guidance require new development to achieve a high standard of design and layout, and be compatible with the character of the existing building and the surrounding area. It would also fail to adhere to the Framework, which states that new development should respond to local character and add to the overall qualities of an area. In reaching these conclusions, I acknowledge that proposed materials would match those of the existing dwelling.

Other matters

13. The appellant states that Nos 17-19 have all been extended at the side and rear. Even so, I have assessed the proposal on its own merits and in relation to its particular context.
14. The Council raises no objection to the proposed single storey rear extension. I, too, find this element of the appeal scheme acceptable in its design, scale and general appearance. However, as this part of the new development is not severable from the new 2-storey element, which is objectionable, I am unable to issue a split decision that grants planning permission solely for it.

Conclusion

15. For the reasons set out above, I conclude that the appeal should be dismissed.

Gary Deane

INSPECTOR