
Appeal Decision

Site visit made on 22 March 2017

by Brendan Lyons BArch MA MRTPI IHBC

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

Decision date: 05 April 2017

Appeal Ref: APP/D5120/D/17/3166840
159 Burnt Oak Lane, Sidcup DA15 9BW

- 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 Shane Nelson against the decision of the Council of the London Borough of Bexley.
 - The application Ref 16/02497/FUL, dated 6 October 2016, was refused by notice dated 5 December 2016.
 - The development proposed is a first floor side extension and single storey rear extension.
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Decision

1. The appeal is dismissed.

Main Issue

2. The appeal property is a two-storey semi-detached house located in a suburban residential area. The house has been extended in the past both to the side and the rear. Permission is now sought to add a further extension to the rear, across the full width of the plot, and to add a first floor above an existing single-storey side extension that fills the space at the end of the drive, between the original side of the house and the boundary with the adjoining house, No.161.
3. The Council confirms that planning permission was granted in September 2016 for a single storey rear extension identical to that now proposed. That permission therefore provides a realistic fallback position, and consideration of the appeal need only focus on the proposed first floor extension.
4. Therefore, the main issue in the appeal is the effect of the proposed first floor side extension on the character and appearance of the house and of the surrounding area.

Reasons

5. The house forms part of a 'chalet-style' pair, one of very many of this type in the wider surrounding area. These houses are mixed largely with other semi-detached houses and a few short terraces in a conventional suburban layout, with the houses quite evenly set back from the road and fairly regularly spaced. The quality of the area depends on this overall consistency of form and materials. The space between houses is an important factor.
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6. The chalet house form helps to reinforce this character as the prominent front gable and low side eaves result in a generous visual break between adjoining pairs. However, very many of this type have been extended to the side, which has tended to reduce the apparent gaps, but I noted very few that have been extended greatly beyond the confines of the original side wall.
7. The appeal property's previous first floor side extension has significantly altered the basic roof shape, losing the characteristic low eaves and changing the front elevation. The other house of the pair, No.157, has also been extended but has retained the edge of the original roof shape to the front. Thus the balance of the pair has already been affected and the appeal proposal would not add significantly to this adverse impact.
8. No.161 has also been extended to the side at first floor level, and also beyond the original back wall. As a result of the two long facing first floor walls, the visual gap between the houses is already constrained. By extending all the way to the boundary the appeal proposal would very significantly reduce the gap still further, and would result in a rather cramped appearance, emphasised by the proposed forward cantilever above the existing ground floor window. The character and appearance of the appeal dwelling would be adversely affected by the combined mass of two-storey extensions, while the character and appearance of the area would be harmed by the reduction in the space between buildings.
9. I agree with the Council that the proposal would be contrary to saved Policy H9 of the Bexley Unitary Development Plan, which was adopted in 2004 but whose principles for the design of extensions and alterations remain broadly consistent with the up-to-date objectives of the National Planning Policy Framework in support of good design.
10. I note the appellant's view that the Council's more detailed Design and Development Control Guidelines do not specifically rule out extensions to the side boundary, but the document is clear that massing and proximity to the property boundary and adjoining buildings is among the key considerations in the assessment of proposed extensions. Each case must be assessed on its merits, and in this instance these factors would not be well resolved.
11. The appellant draws attention to three other houses on Burnt Oak Lane that have been extended to the side. I am not aware of the Council's views on these and whether planning permission has been granted. Of the two chalet-style examples, I noted that No.115 has an angled relationship with its neighbour, thereby preserving a significant space. The first floor extension at No.75 is set in slightly from the boundary, but still represents a very bulky addition to the side of the house. No.144 appeared to be a different house type and hence not directly comparable. In my view none of these would provide a compelling precedent for approval of the appeal proposal.
12. Having taken account of all representations made, I conclude for the reasons set out above that the appeal should be dismissed.

Brendan Lyons

INSPECTOR