
Appeal Decision

Site visit made on 9 May 2017

by G J Fort BA PGDip LLM MCD MRTPI

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

Decision date: 19 May 2017

Appeal Ref: APP/D5120/D/17/3168919

205 Westwood Lane, Welling, Kent DA16 2HS

- 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 M Bethel against the decision of the Council of the London Borough of Bexley.
 - The application Ref 16/02710/FUL, dated 5 October 2016, was refused by notice dated 30 November 2016.
 - The development proposed is a two storey rear extension and two storey side extension.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this appeal is the effect of the proposed development on the living conditions of the occupants of 203 Westwood Lane in terms of outlook and the availability of natural light.

Reasons

3. The appeal property is a two-storey, hip-roofed semi-detached dwelling. Set back from the road, with a relatively deep, but narrow back garden the appeal dwelling is one of several similar properties that address Westwood Lane. The proposed development would introduce a wrap around two-storey extension to the side and rear. Its front elevation at first floor level would be set back from the building line of its host dwelling; and the ridge of its hipped roof would be set down from the existing roof.
 4. At the rear the proposed development would have a two-storey flank wall more or less adjoining the boundary of No 203. I saw that No 203 has two windows on its first floor rear elevation. Whilst the closest one to the boundary with the appeal property is obscure-glazed and appears to serve a bathroom, the other has transparent glazing and appears to serve a habitable room.
 5. From this latter window the proposed flank wall, due to its excessive depth and scale combined with its proximity to the common boundary, would appear as an overbearing and monolithic structure that would materially reduce the quality of the outlook available. Moreover, the proposed wall's scale, depth and proximity combined with its orientation in relationship with No 203 would cause extensive additional shading to this first floor window for considerable
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parts of the day that would reduce the level of natural lighting available in the room. As a result, taken together these aspects of the proposed development would cause considerable harm to the living conditions of the occupants of No 203.

6. I note that planning permission has been granted¹ for an extension at No 207 of similar overall proportions to that of the proposed development. However, I saw that No 207's attached neighbour has a two-storey extension set in from the common boundary and as a result the only first floor window that would be affected by the consented extension at No 207 is an obscure-glazed one that appeared to serve a bathroom. The presence of a habitable room window at first floor in close proximity to the proposed development subject to the current appeal is thus a clear material difference to that previously consented scheme. I have also been referred to other consented alterations in the area by the appellant²; however, beyond the references and addresses of these I have not been provided with any substantive details regarding the relevant considerations in these cases, and in any event each planning proposal needs to be considered on its own merits.
7. For the reasons given above, the proposed development would be of considerable harm to the living conditions of the occupants of No 203. Consequently, it would conflict with Policies ENV39 and H9 and the Design and Development Control Guideline of the Bexley Unitary Development Plan (adopted April 2004); which, taken together and amongst other matters seek to ensure that new development does not prejudice the environment of the occupiers of adjacent property, and avoids adverse effects to their amenity in terms of daylight, sunlight and outlook.

Other Matter

8. I am aware of the appellant's comments that they consider the appeal property to be an example of a Stevens Estate house, and thus that exceptions given in Bexley's Development Design Guideline to a presumption against full-width two-storey extensions should apply. This may be the case; however, in the overall planning balance this is not a matter that outweighs the harmful effects the proposed development would cause, and thus does not alter my conclusions on the main issue given above.

Conclusion

9. The proposed development would conflict with the development plan insofar as the policies that have been drawn to my attention are concerned. As no material considerations have been advanced that would justify a departure from the development plan in this instance, I conclude, for the reasons given above, and having regard to all other matters raised that the appeal should be dismissed.

G J Fort

INSPECTOR

¹ Council reference 15/02538/FUL

² Council references 98/0363; 06/00578; 04/05921; 15/01884