

Appeal Decision

Site visit made on 22 June 2017

by D Cramond BSc MRTPI

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

Decision date: 06 July 2017

Appeal Ref: APP/D5120/D/17/3173888

14 Bostall Park Avenue, Bexleyheath, DA7 5JS

- 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 Stephen Batt against the decision of the Council of the London Borough of Bexley.
 - The application Ref 16/03257/FUL, dated 20 December 2016, was refused by notice dated 17 February 2017.
 - The development proposed is a single storey side and rear extension.
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Decision

1. The appeal is allowed and planning permission is granted for a single storey side and rear extension at 14 Bostall Park Avenue, Bexleyheath, DA7 5JS in accordance with the terms of the application, Ref 16/03257/FUL, dated 20 December 2016, 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 materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
 3. The development hereby permitted shall be carried out in accordance with the following approved plans: HA/DA7 5JS/ - Site, Ground, Ext-First, Ext-Roof, Ext-Elevation, Prop-Elevation, Prop-Roof & Section.

Main Issue

2. The main issue is the effect of the proposal on living conditions for neighbours.

Reasons

Living conditions

3. The appeal property is a two storey semi-detached home characteristic of the locality. The proposal is as described above and would primarily provide for increased family living and kitchen space.
 4. The Council is concerned that the new addition, with its flat roofed parapet design and projection from the main rear wall of some 4.3 metres would lead to a loss of outlook for the adjoining home by reason of its height and depth. The Council's officer report states that guidance would allow a 3.5m deep extension. The adjoining dwelling has a largely completed flat roof extension of some 3m in depth with no parapet and with patio doors relatively close to
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the shared boundary. The appeal scheme would thus project some 1.3m beyond this and have a higher side wall. However, to my mind the Council has been over-zealous in its response to the appeal scheme and perhaps over-influenced by its normal *guidance*. I would deem that the modest additional projection beyond the neighbours' new ground floor rear wall would not have a significant impact on outlook from the patio doors or elsewhere and I would say this even with a parapet featuring as part of the scheme. The additional projecting bulk and blank wall would be modest; normal boundary screening is, and could continue to be, in place; and the new development would have a benign orientation in daylight and sunlight terms as it would lie to the north east of the neighbouring home.

5. The Council's Unitary Development Plan (2004) includes saved Policies ENV39 and H9 which amongst other matters seek to prevent harm to the amenities of neighbours. In all the circumstances I conclude that this scheme would not run contrary to these policies for the reasons I have given.

Conditions

6. The Council suggests the standard commencement condition along with the requirement for materials to match the existing building. I agree this latter condition would be appropriate in the interests of visual amenity. I also agree that there should be a condition that works are to be carried out in accordance with listed, approved, plans; to provide certainty.

Overall conclusion

7. For the reasons given above I conclude that the appeal proposal would not have unacceptable adverse effects on living conditions for neighbours. Accordingly the appeal is allowed.

D Cramond

INSPECTOR