



Appeal Decision

Site visit made on 12 February 2020

by Martin Chandler BSc MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2 March 2020

Appeal Ref: APP/D5120/W/19/3236056
135 Danson Road, Bexley DA5 1DG

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Mr W Chawich against the Council of the London Borough of Bexley.
 - The application Ref 19/00683/FUL, is dated 25 February 2019.
 - The development proposed is new roof profile with dormer. Part Double, part single storey side extension.
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Decision

1. The appeal is dismissed, and planning permission is refused.

Main Issues

2. The appeal is the result of the Council failing to determine the original planning application within the prescribed time period. However, on the same day that the appeal was lodged, the Council also issued a decision notice. Whilst this does not constitute a formal decision, it sets out the areas of concern on behalf of the Council.
3. Accordingly, based on the evidence before me, the main issues in the assessment of this appeal, are the effect of the proposal on:
 - i) the character and appearance of the surrounding area; and
 - ii) the living conditions for the occupants of neighbouring properties.

Reasons

Character and appearance

4. The appeal site is a two-storey detached dwelling prominently located adjacent to a large highway junction. Much of the existing building has a hipped roof, however, when viewed from the front, there is a decorative gable end to the left of a forward projecting hipped roof. The gable end is set back from the forward projecting element and contains the principal entrance to the building. Both the decorative gable and the hipped roof projection contain full-height box-bay windows and rising from the roof are two prominent chimney stacks. The ridge height of the existing roof is consistent across all of its elements and the above features all combine to create an elegant and well-proportioned dwelling that contributes in a positive manner to the character and appearance of the surrounding area.

5. Overall, the proposal would result in a large alteration to the existing building. However, the Council have confirmed that the ground floor extensions are acceptable. Based on the evidence before me, I have no reason to disagree.
6. Nevertheless, the proposal would also introduce accommodation within the roofspace and to facilitate this, the overall profile of the roof would be significantly altered. When viewed from the front, the ridge height would be demonstrably increased above the existing decorative gable and projecting hipped roof. Additionally, the proposal would introduce a jarring roof pitch to the side of the gable end feature. To the rear, a dormer window would sit next to a wide and deep expanse of hipped roof above a large first floor extension. The combination of these elements would create a dominant and imposing roof form that would be distinctly at odds with the pleasing proportions of the existing dwelling. As a consequence, the overall effect of the proposal would be one that demonstrably harms the form and appearance of the existing building.
7. The appeal site is a large plot and the dwelling is of a generous size. In addition, there is notable architectural variety in the surrounding area, including many dwellings that have been significantly extended. However, for the reasons identified above, the proposal would fail to complement the important characteristics of the dwelling that contribute to the overall character and appearance of the area in a positive manner. Consequently, the presence of other extensions, whether successful or otherwise, do not alter my findings in relation to the main issue.
8. Accordingly, I conclude that the proposal would harm the character and appearance of the surrounding area. It would therefore fail to comply with Policies ENV39 and H9 of the Unitary Development Plan (2004) (UDP) and the associated Design and Development Control Guidelines. Taken together, these seek amongst other things, a high standard of design that is compatible with the character of the existing building. Although the policies are somewhat dated, as identified by the appellant, their content is relatively common-place and accordingly, I see no reason not to give them full weight.

Living conditions

9. The proposal would substantially increase the bulk and mass of the existing dwelling. However, when viewed from the road, the dwelling to the left-hand side has extended to the shared side boundary at first floor level. Although a small window is located at an upper level in the facing side elevation, this would appear to be a secondary window to the larger opening in the front elevation. Due to the size and location of this side extension, I am satisfied that the proposal would have no discernible impact on the adjacent property in terms of outlook.
10. The property to the right-hand side has also been significantly extended to the rear. The neighbour is also set further back into the site than the appeal building. Whilst the proposed rear extension would have a slight enclosing effect on this property, due to its location on the site and the scale of its own rear extension, I am satisfied that outlook would not be materially affected.
11. Consequently, I conclude that the proposal would not harm the living conditions for the occupants of neighbouring properties. Accordingly, in this respect, the proposal would comply with Policies ENV39 and H9 of the UDP

which, taken together, require development which would not prejudice the environment of the occupiers of adjacent property.

Conclusion

12. I have found that the proposal would not harm the living conditions for the occupants of neighbouring properties. However, this does not alter nor outweigh my findings in relation to the effect of the proposal on the character and appearance of the area. This is a matter of overriding concern to which I attach a significant level of weight. Accordingly, for the reasons identified above, the appeal should be dismissed and planning permission should be refused.

Martin Chandler

INSPECTOR