
Appeal Decision

Site visit made on 8 December 2020 by Emma Worby BSc (Hons) MSc

Decision by Anne Jordan BA (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20 January 2021

Appeal Ref: APP/D5120/D/20/3259876
76 Welling Way, Welling DA16 2RT

- 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 Thomas against the decision of the Council of the London Borough of Bexley.
 - The application Ref 20/01658/FUL, dated 14 July 2020, was refused by notice dated 8 September 2020.
 - The development proposed is a rear single storey extension.
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Decision

1. The appeal is allowed and planning permission is granted for a rear single storey extension at 76 Welling Way, Welling DA16 2RT in accordance with the terms of the application, Ref 20/01658/FUL, dated 14 July 2020, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 117-01 Rev A1, 117-03, 117-06 and 117-07.
 - 3) The materials to be used in the construction of the external surfaces of the proposed development hereby permitted shall match those used in the existing building.

Appeal Procedure

2. The site visit was undertaken by an Appeals Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issues

3. The main issues in the appeal are:
 - the effect of the proposed development on the character and appearance of the host dwelling,
 - the effect of the proposed development on the living conditions of the occupiers of 78 Welling Way, in relation to outlook.

Reasons for the Recommendation

Character and Appearance

4. The appeal property is a two-storey semi-detached dwelling with a first floor extension to the side and rear and is located within a residential area. The surrounding area is largely comprised of other two-storey, semi-detached, chalet style properties which are similar in appearance to the appeal property and many of which have undergone various side or rear extensions. The proposal is for a single storey rear extension to be wrapped around the existing two-storey projection.
5. The proposed extension to the rear of the appeal property would have limited visibility from the public realm and therefore no impact on the streetscene. Its single storey nature and relatively modest height and depth, when compared to the size and two-storey height of the main dwelling, would not result in an excessive addition to the property and would appear subservient to the host dwelling. It is also noted that many dwellings in the surrounding area have undergone extensions to the rear and therefore the proposal would not be out of keeping within the surrounding area and would not harm the character or appearance of the existing dwelling.
6. The Design and Development Control Guidelines (2004) state that for chalet properties single storey rear extensions between the common boundary and the kitchen "nib" should not extend beyond the depth of the original kitchen "nib". Therefore, the proposal would be contrary to this guidance. Nevertheless, whilst useful, these guidelines are just that and, in this instance, the lack of harm to the character and appearance of the host dwelling as demonstrated above, would outweigh the guidance within this document.
7. Therefore, the proposed development would not harm the character and appearance of the host dwelling and would not conflict with policies ENV39 and H9 of the Bexley Council Unitary Development Plan (2004) and Policy CS01 of the Bexley Core Strategy (2012). The relevant sections of these policies require new development to be compatible with the existing building, adjacent building and surrounding area whilst maintaining the suburban character of the area.

Living Conditions

8. The proposed extension would be in close proximity to the shared boundary with the adjoining dwelling at No. 78 and would extend 3.5 metres from its rear elevation and the ground floor patio doors and windows of this neighbouring property. As discussed previously, it would extend further than the existing kitchen nib, however the extension beyond this projection would be minimal. The relatively modest depth of the proposal along with its single storey nature would ensure that it would not significantly alter the daylight received by the patio doors and windows on the rear elevation of No.78 or impede the occupier's outlook.
9. The Council have indicated that the Development Plan restricts rear extensions of this size when the adjoining property does not have a similar infill extension, of which No.78 does not. No reference can be found to this within the sections of the Development Plan provided as part of this appeal. However, it is not considered that this guidance and the lack of an extension to the neighbouring dwelling would outweigh the findings above.

10. Consequently, the proposed development would not impact the living conditions of the occupiers of 78 Welling Way and would accord with Policies ENV39 and H9 which ensures new development does not prejudice the environment of the occupiers of adjacent property including daylight and outlook.

Conditions

11. In addition to the standard time period for commencement of the development, I have attached a condition requiring the development to accord with the approved plans, as this provides certainty and precision. A condition requiring the use of materials matching that of the existing building is also necessary to ensure an appropriate appearance for the development.

Conclusions and Recommendation

12. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal is allowed.

Emma Worby

APPEALS PLANNING OFFICER

Inspector's Decision

13. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is allowed.

Anne Jordan

INSPECTOR