

Appeal Decision

Site visit made on 16 February 2021

by J Bell-Williamson MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 02 March 2021.

Appeal Ref: APP/D5120/D/20/3260555

171 Faraday Avenue, Sidcup DA14 4JE

- 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 Stuart Norris against the decision of the Council of the London Borough of Bexley.
 - The application Ref 20/01119/FUL, dated 20 May 2020, was refused by notice dated 13 July 2020.
 - The development proposed is single storey side and rear extension. Alterations to roofline incorporating two side and one rear rooflight to provide rooms in the roofspace.
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Preliminary Matters

1. The appellant indicates that the original description of development has changed. Therefore, the above description reflects the amended description shown on the appeal form.

Decision

2. The appeal is allowed and planning permission is granted for single storey side and rear extension, alterations to roofline incorporating two side and one rear rooflight to provide rooms in the roofspace at 171 Faraday Avenue, Sidcup DA14 4JE. The permission is granted in accordance with the terms of the application Ref 20/01119/FUL, dated 20 May 2020, 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 development hereby permitted shall be carried out in accordance with the following approved plans: 171FA-001 (site location/block plan), 171Far-010 (proposed ground floor), 171Far-011 (proposed first floor), 171Far-012 (proposed roof level floor and roof), 171Far-014 (proposed elevations) and 171Far-015 (proposed side elevation).
 - 3) The materials to be used in the construction of the external surfaces of the extension and alterations hereby permitted shall match those used in the existing building.
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Main Issues

3. The main issues are the effect of the ground floor rear extension on the character and appearance of the host dwelling and surrounding area; and its effect on the living conditions of the occupiers of No 169 Faraday Avenue, with regard to outlook and natural light.

Reasons

Character and Appearance

4. The appeal property is a two storey semi-detached chalet style dwelling in a residential road of similar properties. I agree with the Council that the alterations to the roof and the side extension would not result in any harm to the host dwelling or surrounding area.
5. Policy H9 of the London Borough of Bexley Unitary Development Plan 2004 (the UDP) requires residential extensions to be compatible with the character of the existing and adjacent buildings, and to not result in overdevelopment in terms of scale and mass. Policy ENV39 of the UDP requires a high standard of design in new development, including extensions, while Policy CS01 of the London Borough of Bexley Core Strategy 2012, which concerns sustainable development, includes the requirement that development should maintain and improve suburban character. These policies are consistent with the National Planning Policy Framework, particularly section twelve concerning good design.
6. The *Design and Development Control Guidelines* provide guidance on extensions to chalet style properties. The guidance says that single storey rear extensions between the common boundary and the kitchen nib should not extend beyond the depth of the original kitchen nib¹. There is a small infill extension between the kitchen nib and boundary wall with the adjoining property, No 169. As such, the Council considers that the proposal is unacceptable due to its conflict with the guidelines.
7. However, as this is guidance rather policy it should be applied judiciously in the circumstances of the proposed development, taking particular account of its effects on the host dwelling and surrounding area. I note in this regard that the effects of the rear extension which concern the Council are that due to its bulk and depth it would fail to remain subservient in appearance to the original dwelling.
8. The changes that have already occurred to the rear of the dwelling are not of significant size and have not substantively altered the built form or character of the original dwelling. The proposed single storey rear extension is of typical domestic scale and appearance and, as such, would not harmfully alter the dwelling's appearance. Moreover, due to its height and flat roof it would not be readily visible from the surrounding area; and it would not be uncharacteristic in its wider surrounds as a number of nearby properties, including No 173, have been extended to a similar or greater extent.
9. Therefore, for these reasons, I conclude that the proposed ground floor rear extension would not have a harmful effect on the character and appearance of

¹ Paragraph 2.3.4(4)

the host dwelling and surrounding area. Consequently, there is no conflict with Policies H9 and ENV39 of the UDP or with Policy CS01 of the Core Strategy, referred to above.

Living Conditions

10. The proposed extension would add some 3.5 metres of depth to the existing extension, which is positioned directly next to the shared boundary with No 169. This neighbouring property has windows serving a ground floor habitable room relatively close to the boundary. However, unlike the existing extension the plans show that the proposed extension would be set away from the boundary, by just over 1.2 metres. This set back combined with the single storey height of the extension would mitigate any harmful effects on the outlook from the neighbouring property and its garden that might otherwise occur from an extension of similar depth positioned directly next to the boundary.
11. With regard to the effect on natural light to No 169 and its garden, the set back from the boundary combined with the orientation of the properties means that there would be no material harm as a result of the additional development to the rear. Accordingly, I conclude for these reasons that the ground floor rear extension would not have a harmful effect on the living conditions of the occupiers of No 169 Faraday Avenue, with regard to outlook and natural light. As such, it is not contrary in this regard to Policies H9 and ENV39 of the UDP insofar as they require development to not adversely affect the amenity of neighbouring occupiers.

Conditions

12. Of the Council's suggested conditions I have imposed the standard time condition and, to ensure the proper implementation of development in accordance with the submitted details, one requiring development to be carried out in accordance with the approved plans. I agree also that a condition requiring the external materials used to match those of the existing building is needed in the interests of the appearance of the host dwelling and wider area.

Conclusion

13. For the reasons given above it is concluded that the appeal should succeed.

J Bell-Williamson

INSPECTOR