



Appeal Decision

Site visit made on 5 May 2021

by A Thompson BSc BTP MRTPI MRICS

an Inspector appointed by the Secretary of State

Decision date: 21 May 2021.

Appeal Ref: APP/D5120/D/20/3264362
65 Parkhill Road, Sidcup, DA15 7NJ

- 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 J O'Reilly against the decision of the Council of the London Borough of Bexley.
 - The application Ref 20/01714/FUL, dated 18 July 2020, was refused by notice dated 14 September 2020.
 - The development proposed is single storey rear extension.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The Mayor of London published the London Plan 2021 (new London Plan) in March 2021, after the appeal was made. I note that the new London Plan replaces all previous versions of the London Plan. Accordingly, policy 7.6 (Architecture) of the London Plan (2016), which is referred to in the Council's decision notice, is no longer relevant.
3. The appellant and the Council have been given the opportunity to comment on these changes in the development plan in relation to the determination of this appeal. In the absence of any submissions in relation to the new London Plan and given the non-strategic nature of the development, I have determined the appeal on the basis of the relevant policies in the Bexley Unitary Development Plan and other material considerations.

Main Issues

4. The main issues are the effect of the proposed development on (a) the living conditions of the occupants of the ground floor flat of No. 39 Longlands Road (the next door property) and (b) the character and appearance of No. 65 Parkhill Road (the host property).

Reasons

Living Conditions

5. There is limited space between the flank walls of the host property and the next door property. Furthermore, because the properties are on the inside edge of a curve, their main flank walls are on a converging alignment for some of their length.

6. Although the outrigger element of the host building is aligned away from the common boundary, the proposed widening of the outrigger would start at almost the narrowest point between the neighbouring buildings, opposite a window for a bedroom¹ in a ground floor flat of the next door property. This window appears, on the basis of the evidence before me, to be the only window for that bedroom.
7. The outlook from the bedroom window is already constrained by the boundary fence between the properties and the scale and location of the present 2 storey outrigger. The proposed development would demonstrably worsen that outlook, because the extension would be both markedly closer and extend further than the existing building in a way that would be visually overbearing and oppressive, and thus it would be harmful to the amenity of the occupiers of the next door flat.
8. Therefore, I find that the proposed development would harm the living conditions of the occupants of the ground floor flat of the next door property and thus be contrary to Policy H9 of the Bexley Council Unitary Development Plan (2004 saved policies) (UDP), and Paragraph 127 of the National Planning Policy Framework 2019 (Framework) which amongst other things, seek to ensure that developments do not adversely affect the amenity of residents of neighbouring properties.

Character and Appearance

9. The host property comprises a semi-detached Victorian/Edwardian era property with a substantial 2 storey outrigger extension shared with the adjoining property. The proposals would infill the existing inset of the outrigger and add a further 3.5 metres of depth to the building at ground floor level.
10. Although the building has been altered at roof level through the provision of a loft conversion with a full width box dormer and some minor changes have been made to the pattern of windows and doors, externally the building retains much of its original character, form and appearance.
11. The substantial extension proposed fails to respect the form of the building and would include a number of features, such as an extended flank wall with no fenestration, roof windows, area of flat roof and substantial patio doors that would be incongruous with the character of the existing building.
12. Accordingly on this second issue, I find that the development would harm the character and appearance of the host property and therefore be contrary to policy H9 of the UDP and paragraph 127 of the Framework. Both the policy and the Framework seek to encourage development that is sympathetic to the character of the existing buildings and surrounding area.
13. As the extension would be confined to the rear of the property at ground floor level only, I do not consider the scale of harm to the character and appearance of the host property would be substantial, nonetheless my conclusion on this matter adds some limited weight in favour of refusal.

¹ Bedroom 2 Window Plan 20/65/6

Other considerations

14. The proposed development would provide additional accommodation for the benefit of the occupiers of the host property and allow greater use of the site. While these factors weigh in favour of the development, they do not outweigh the harm I have identified in relation to the main issues. I note the reference made to the scope for extension of dwellings as permitted development, however, there is no substantive evidence before me in relation to the appeal property. Similarly, the absence of an objection from the occupiers of the neighbouring property does not lead me to conclude differently, as the development would, if allowed, impact on the amenity of existing and future occupiers of that property.

Conclusion

15. For the reasons I have set out above, and having regard to all other matters raised, I conclude the appeal should be dismissed.

Anthony Thompson

INSPECTOR