
Appeal Decision

Site visit made on 13 May 2021

by C Hall BSc MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 June 2021

Appeal Ref: APP/D5120/D/20/3265125

Lake View, 123 Danson Road, Bexley DA5 1DG

- 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 & Mrs Scott against the decision of the Council of the London Borough of Bexley.
 - The application Ref 20/01525/FUL, dated 2 July 2020, was refused by notice dated 12 October 2020.
 - The development proposed is a garage conversion, first floor side extension, part first floor rear extension and single storey rear extension.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the living conditions of the occupants of 121 Danson Road with regard to light and outlook.

Reasons

3. The appeal site comprises a detached, two-storey dwelling with off-street parking spaces to the front. The adjacent house known as 121 Danson Road lies on lower ground, is set forward of the appeal dwelling and is positioned at an angle to it. The surrounding area is residential in nature and comprises houses that vary in scale and design.
 4. The proposal incorporates an extension to the side at first floor level. It would significantly increase the size and scale of development facing No. 121, thereby adding material bulk to the built form in close proximity to the boundary.
 5. In doing so, this would create a considerable extent of built form which would dominate the outlook from the rear ground floor windows and patio area of No. 121 in a manner which would be overbearing and oppressive, and materially worse than the existing state of affairs. This would be exacerbated due to the fact that the neighbouring dwelling is located on lower ground.
 6. With regard to overshadowing, the appeal dwelling is positioned approximately to the south-southwest of No. 121. Consequently, it would already cause some adverse effect on light levels to the rear patio and internal rooms of the neighbouring house in the afternoon and evening. I am of the view that the proposed first floor addition would not aggravate the present situation, and as such there would be no demonstrable loss of light.
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7. I note that the Council does not object to the ground floor addition to the property and I have no reason to disagree. It would appear to harmonise with the dwelling in relation to depth, width, height and overall scale.
8. Based on the foregoing, although to my mind there would be no detrimental loss of light, the proposal would result in harm to the living conditions of the occupants of 121 Danson Road with regard to outlook. It would conflict with policies ENV39 and H9 of the Bexley Council Unitary Development Plan April 2004, the Design and Development Control Guidelines 2004 and policies CS01 and CS07 of the Bexley Core Strategy Local Development Framework Development Plan Document February 2012. Taken together, these policies seek to ensure proposals are well designed to ensure that they would not prejudice the environment or amenity of the occupiers of adjacent properties.

Conclusion

9. Having taken full account of all of the matters before me, the appeal is dismissed.

C Hall

INSPECTOR