
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/21/3267839

135 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 W Chawich against the decision of the Council of the London Borough of Bexley.
 - The application Ref 20/02524/FUL, dated 21 September 2020, was refused by notice dated 23 December 2020.
 - The development proposed is a new roof profile, part double, part single storey side extension.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. My attention has been drawn to a previous appeal on the site (reference APP/D5120/W/19/3236056). I shall have regard to this background when considering the merits of this proposal.

Main Issues

3. The main issues are the effect of the proposal on:
 - the character and appearance of the dwelling and surrounding area; and
 - the living conditions of the occupants of 133 Danson Road with regard to light.

Reasons

Character and appearance

4. The appeal site comprises a detached, two-storey dwelling with off-street parking spaces to the front in a prominent location adjacent to a large highway junction. The surrounding area is residential in nature and comprises houses of that vary in scale and design.
 5. The previous Inspector noted that much of the existing building has a hipped roof, however, when viewed from the front, he highlighted the decorative gable end to the left of a forward projecting hipped roof, this being set back from the forward projecting element and containing the principal entrance to the building.
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6. The reasoning continued to state that 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.
7. Based on my observations, I see no reason to disagree with the previous Inspector's assessment of the existing building. Turning to the merits of the appeal proposal, the scheme before me would introduce a large, two-storey side/rear addition and alterations to the existing roof accommodation to create two separate expanses of crown roof.
8. Although the scheme would include a lowering of the ridge height of the two-storey element when compared to the previous appeal scheme, to my mind the development would fail to reflect the scale and proportions of the host property, and would be clearly visible from the nearby junction. The wide and deep ambit of the side and rear extension has not been addressed by this amended scheme; it would appear boxy and lack architectural subtlety. Overall, the cumulative effect of the development would seem dominant and incongruous within the context of the existing dwelling and the surrounding area.
9. I acknowledge that the appeal property is not listed and that the site is not located in a conservation area. I note the removal of the rear dormer from the previous appeal case. However, these matters do not overcome the harm I have identified above. I also recognise the presence of other extensions in the neighbourhood. Nevertheless, additions to other houses would be neutral considerations in any balance against planning harm, and in any event each case must be assessed on its own merits.
10. I am aware that permitted development rights can be used as a fall-back position; the appellant highlights Class AA of the General Permitted Development Order. However, the appellant states that these are not being invoked there is no evidence when the house was built and whether or not this was pre-1948. This notwithstanding, there is no evidence before me that a lawful development certificate has been granted by the Council in this respect, and as such I consequently afford any fall-back situation limited weight.
11. Based on the above, the proposal would result in harm to the character and appearance of the existing dwelling and surrounding area. It would conflict with policies ENV39 and H9 of the Bexley Council Unitary Development Plan April 2004 (UDP), the Design and Development Control Guidelines 2004 (DDCG) and policy CS07 of the Bexley Core Strategy Local Development Framework Development Plan Document February 2012 (CS). Collectively these policies seek to ensure proposals relate to surrounding development, are of appropriate design and protect the character of an area.

Living conditions

12. The two-storey element would project from the rear of the appeal property in close proximity to the boundary with No. 133 Danson Road, and be substantially higher than the existing fence at this point. It would be positioned almost directly to the south of the adjacent dwelling.
13. With these factors in mind, in my view the proposal would cause a significant loss of light to the rear openings and patio area of No. 133. This loss of the

light would occur for a significant period of the day. I have not been provided with any sunlight test diagrams or surveys that would otherwise lead me to draw a different conclusion.

14. The previous Inspector considered living conditions in relation to outlook; he did not determine that appeal having regard to light. I am satisfied that the Council has raised this issue as a genuine concern.
15. I therefore consider that the proposal would harm the living conditions of the occupants of 133 Danson Road with regard to light. This would contravene policies ENV39 and H9 of the UDP, the DDCG and policy CS07 of the CS, which require that development does not prejudice the environment or amenity of the occupiers of adjacent properties.

Conclusion

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

C Hall

INSPECTOR