
Appeal Decision

Site visit made on 21 July 2021

by Penelope Metcalfe BA(Hons) MSc DipUP DipDBE MRTPI IHBC

an Inspector appointed by the Secretary of State

Decision date: 30 July 2021

Appeal Ref: APP/D5120/D/21/3268491

21 Beechcroft Avenue, Bexleyheath, DA7 6QR

- 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 Harrison against the decision of the Council of the London Borough of Bexley.
 - The application Ref 20/02544/FUL, dated 7 October 2020, was refused by notice dated 2 December 2020.
 - The development proposed is ground floor and first floor side and rear extension.
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Decision

1. The appeal is allowed and planning permission is granted for erection of ground floor and first floor side and rear extension at 21 Beechcroft Avenue, Bexleyheath, DA7 6QR, in accordance with the terms of the application Ref 20/02544/FUL, dated 7 October 2020, and the plans submitted with it, 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: 709 01A, 709 02A, 709 03A, 709 04A, 709 05A, 709 06A and 709 07A.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those of the existing building.
 - 4) The roof area of the ground floor rear extension shall not be used as a balcony, roof garden or similar amenity area and shall only be accessed for repair, maintenance or for emergency access/egress.

Main issue

2. I consider that the main issue in this case is its effect on the living conditions of residents.

Reasons

3. 21 Beechcroft Avenue is a two storey semi detached house along a street of similar sized and styled houses. Many of the houses have been altered and there is a wide range of extensions at the rear of several properties along this side of the street.

4. The policies relevant in this case include policy 7.6 of the London Plan (2016) and saved policies H9 and ENV39 of the London Borough of Bexley UDP 2004 (the UDP). These seek, among other things, to protect residents of adjoining properties from development which would adversely affect their environment and amenity. The Council's *Design and Development Control Guidelines* 2004 (the Design Guidelines) contains detailed guidance for house extensions in respect of the impact of the size and siting on the amenity of neighbouring residents, among other things. It suggests that two storey extensions may be acceptable on semi detached houses but should be set away from the common boundary with the attached house. The recently updated National Planning Policy Framework 2021 (the Framework) carries forward into paragraph 126 the emphasis on the importance of design quality on creating better places in which to live and work which was set out in paragraph 124 of the 2019 version.
5. The Council has raised no objection to the proposed two storey side extension in terms of its design and scale and I see no reason to disagree with that view.
6. There is an existing rear single storey extension comprising a monopitch annexe which mirrors a similar one at the adjoining property No. 23, and a flat roofed element. The proposed two storey rear extension would project at ground floor level approximately 3m beyond the line of the existing ground floor extension and at first floor level by approximately 4m from the original rear wall.
7. The proposal has been reduced in size from an earlier scheme which was refused planning permission. The first floor element in this scheme would still be substantial in size but I consider that it would not have an unacceptable impact on the amenity of the neighbouring residents.
8. There would be some sense of enclosure to the adjoining property at No. 23 but this would partly be due to the existing single and two storey flat roofed extensions at that property. The proposed pitched roof would continue the existing line of the ground floor annexe thus mitigating the impact on the rear facing windows at first floor level in No. 23 of the lack of set back from the boundary and the height of the upper floor.
9. No. 19, the neighbouring property on the other side, has a two storey flat roofed side extension incorporating a garage on the common boundary. The two nearest first floor rear windows are obscure glazed and appear to serve non-habitable rooms. The rear facing window in the ground floor extension is screened from any significant impact of the proposal by the single storey outbuilding on the boundary with No. 21.
10. I conclude that the proposal would not harm the living conditions of the neighbouring residents and that it is consistent with policies H9 and ENV39 of the UDP and 7.6 of the London Plan and the advice in the Design Guidelines and the Framework.
11. For the reasons given above, the appeal is allowed.

Conditions

12. I have considered the conditions put forward by the Council, having regard to the tests set out in the Framework. A condition detailing the plans is necessary to ensure the development is carried out in accordance with the approved plans and for the avoidance of doubt. A condition relating to the materials is

necessary in order to ensure the satisfactory appearance of the development. One to restrict the use of the flat roof on the rear extension is necessary to protect the amenities and privacy of the adjoining properties.

PAG Metcalfe

INSPECTOR