



Appeal Decision

Site visit made on 13 September 2021

by Victor Callister BA(Hons) PGC(Oxon) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 September 2021.

Appeal Ref: APP/D5120/D/21/3276519

66 Coptefield Drive, Belvedere DA17 5RL

- 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 Mobolaji Ajakaiye against the decision of the London Borough of Bexley Council.
 - The application Ref 20/03399/FUL, dated 28 December 2020, was refused by notice dated 18 March 2021.
 - The development proposed is a single storey rear extension and part first floor rear extension. Single storey front extension incorporating extension to existing attached garage and new entrance porch.
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Decision

1. The appeal is allowed and planning permission is granted for a single storey rear extension and part first floor rear extension. Single storey front extension incorporating extension to existing attached garage and new entrance porch at 66 Coptefield Drive, Belvedere DA17 5RL in accordance with the terms of the application, Ref 20/03399/FUL, dated 28 December 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 materials to be used in the construction of the development hereby permitted shall match those in the existing building.
 - 3) No construction work shall take place on the site other than between the hours of 8am and 6pm Monday to Friday and 8.00am and 1pm on Saturdays. There shall be no working on Sundays or Public Holidays.

Main Issue

2. The main issue is the effect of the proposal on living conditions of neighbouring residential occupiers with reference to overbearing and loss of outlook.

Reasons

3. The appeal property is a small 2 storey semi-detached house located in a residential estate area made up of properties of similar design and scale, which takes the form of a series of cul-de-sac developments. The appeal property's garage is located close to its front door, which faces on to the flank wall of the garage, which is attached to the garage of a neighbouring house on its other

- side. There is a small apron of grass and paving at the front of the appeal property with a garden to the rear.
4. With the appeal proposal, the appellant has sought to respond to the refusal of a previous planning application¹ for development of a larger rear extension than that now proposed.
 5. The appeal proposal is for a single storey link extension between the appeal property and its garage at the front of the property and a rear extension projecting approximately 3.2 Metres from the rear wall of the existing house. This rear extension would be the full width of the house at ground floor and at first floor would be set back approximately 2 metres from the boundary with 67 Coptefield Drive (No.67), which makes up the semidetached pair with the appeal property. The two storey part of the rear extension would have a pitched roof that would match the form and angle of pitch of the existing roof, with the remaining single storey part of the extension having a flat roof.
 6. Bexley Council Unitary Development Plan Design and Development Control Guidelines (Design Guidance) advises that rear extensions on semi-detached houses should not exceed a projection of 3.5 Metres. As there is a set back of 1 Metre between the appeal property and No.67 the 3.2 Metre projection of the proposed ground floor extension would result in an extend a flank wall approximately 4.2 metres from the rear wall of No.67, albeit only the first metre if which would be two stories.
 7. The Council's Design Guidance is advice that should be considered along with the individual circumstances of the proposal. In this case the proposal does include a proposed extension that would project less than that advised in the Design Guidance. Due to the proposed height and flat roof of the ground floor part of the proposed extension, the distance to its proposed two storey part and the 90 degree orientation of No.67 to the appeal property, I do not find that the presence of the proposed extension would be so great as to be experienced as an intrusive overbearing presence by the occupiers of No.67.
 8. The rear garden of 3 Abbotsfield Close (No.3) adjoins the garden of the appeal property on the opposite side of the garden to No.67. Although both properties have relatively small gardens, the distance between the rear of No.3 and the proposed extension would be similar to that between the main house and other neighbouring houses to No.66, thereby reflecting the spatial characteristics of the area. The presence of the proposed rear extension would, therefore, not be so intrusive that it would be experienced as an overbearing presence resulting in a loss of outlook by the occupiers of No.3.
 9. Whilst other interested parties have raised concerns with regard to the effect of the proposal on their living conditions with reference to outlook, from my site visit it was clear that, given the scale of the proposal and the distances involved, the proposal would not be experienced as overbearing to the extent that it would a loss of outlook that would effect living conditions.
 10. For these reasons I do not find that the effect of the proposal on outlook would be so great as to harm the living conditions of neighbouring occupiers, including those at No.67 and No.3. The proposal would, therefore, be in compliance with saved Policies ENV39 and H9 of the Bexley Unitary

¹ Planning Ref: 20/02748/FUL

Development Plan (2004), Guideline 2 of the Design Guidance, Policy D3 of the London Plan (2021) and paragraph 130 of the National Planning Policy Framework (2021), which collectively seek developments, including extensions, that are of good design and that create places that promote health and well-being, with a high standard of amenity for existing and future users.

Conditions

11. I have had regard to the proposed conditions suggested by the council in the event of the appeal being allowed. However, I find that the proposed condition related to future potential window openings is not directly related to the proposal or could potentially limit permitted development rights, for which there are no exceptional reasons.
12. I have included the standard required condition relating to the timing of implementation, and to ensure that the proposal remains consistent with the appearance of the existing house, I have included a condition relating to matching of materials. Given the proximity of the appeal property to other residential properties, and to avoid local disturbance during construction, I have also imposed a condition that controls its hours.

Conclusion

13. The appeal is allowed.

Victor Callister

INSPECTOR