



Appeal Decision

Site visit made on 27 October 2021

by Martin H Seddon BSc MPhil DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 04 November 2021

Appeal Ref: APP/D5120/D/21/3277570

61 Olron Crescent, Bexleyheath DA6 8JY

- 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 Brett and Miss Ford against the decision of the Council of the London Borough of Bexley.
 - The application Ref: 21/00188/FUL, dated 20 January 2021, was refused by notice dated 9 April 2021.
 - The development proposed is part single/two storey rear and side extensions and internal alterations.
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Decision

1. The appeal is allowed, and planning permission is granted for part one/part two storey side and rear extension at 61 Olron Crescent, Bexleyheath DA6 8JY in accordance with the terms of the application ref: 21/00188/FUL, dated 20 January 2021 and subject to the conditions in the schedule at the end of this document.

Preliminary Matter

2. I have determined this appeal on the basis of the Council's description of development, which excludes the proposed internal alterations.

Main Issue

3. The main issue in this appeal is the effect of the proposal on the living conditions of neighbours at No.63 Olron Crescent in respect of outlook and received light.

Reasons

4. No.61 Olron Crescent is a two storey semi-detached dwelling located in a residential area. The adjoining semi-detached dwelling, No.59 has a part single/two storey rear and side extension. No.63 Olron Crescent is located immediately to the north of No.61. All these dwellings have relatively long rear gardens.
5. The proposed rear extension would project into the garden at a distance to match the rear elevation of the extension at No.59. The roof of the rear extension would be set down from the ridgeline of the existing house roof. The rear and side extensions would be set-back slightly from the angled boundary with No.63. The proposed extensions would replace the existing side garage and the single storey rear utility room. The Council has raised no objections on

design grounds or effect on the streetscene. I see no reason to disagree, particularly in view of the similarities with the extensions at No.59, which were granted permission by the Council in 2014.

6. No.63 has ground and first floor windows facing its rear garden and a paved patio area. The proposed rear extension would affect the outlook from these windows for the neighbours at No.63. There would also be some loss of sunlight to the rear elevation of that building and the patio area because of its position to the north of the proposed rear extension.
7. The outlook from the rear ground floor window of No.63 and the amount of sunlight received will already be affected by the proximity of the rear utility room at No.61 and by the timber boundary screen fence between the properties. The windows in the rear elevation of No.63 are centrally placed and there is also a side path between No.63 and the side boundary with No.61. These factors assist in reducing the harm in terms of loss of outlook and loss of light for the neighbours. Although the Council has referred to the enclosing effect of the proposal, there is no similar rear extension at No.65 Olron Crescent which would result in a 'tunnelling' effect for No.63.
8. There would be some harm to the amenity of neighbours at No.63 Olron Crescent and consequently conflict with Unitary Development Plan policies ENV39 and H9, the Council's Design and Development Control Guidelines and the objective of the National Planning Policy Framework of protecting residential amenity. However, I consider that the resultant harm to the living conditions of neighbours in respect of loss of outlook and loss of received light would not be significant enough on its own to justify dismissal of this appeal. It seems to me that in allowing the extensions to No.59 the Council would have considered similar impacts of that development on amenity of the occupants of No.61.

Conditions

9. In addition to the standard condition for the timescale of development I have included a condition to confirm the approved plans. A condition requiring matching external materials is included in the interest of maintaining the character and appearance of the building and street scene. The Highway Authority has not objected to the proposal subject to a condition to secure the frontage parking spaces, which I have included in the interest of highway safety.

Conclusion

10. The proposed extensions would provide symmetry with those at No.59 Olron Crescent and would make better use of the land by providing additional family living accommodation. In that respect the proposal would not conflict with Core Strategy policy CS01 which seeks, amongst other things, to ensure that housing provision meets the needs of Bexley's current and future population.
11. I consider that, on balance, the appeal should be allowed subject to conditions.

Martin H Seddon

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: location plan, block plan, 1:50 scale plan showing proposed parking spaces, 150121/3 Rev B proposed ground and first floor plans, 150121/4 Rev B proposed elevations, 150121/5 section.
- 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
- 4) The use of the land to the front of the property for vehicle parking shall not be commenced until the area has been laid out, surfaced and drained in accordance with details first submitted to, and approved in writing, by the Local Planning Authority and shall be permanently maintained and available for such use thereafter.