



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: 14th December 2021

Appeal Ref: APP/D5120/D/21/3274836

15 Baynham Close, Bexley DA5 1RN

- 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 and Mrs Brown against the decision of the Council of the London Borough of Bexley.
 - The application Ref: 20/03292/FUL, dated 16 December 2020, was refused by notice dated 5 March 2021.
 - The development proposed is construct a first floor side extension and glass infill extension to link dwelling to detached garage and first floor extension to garage.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this appeal are the effect of the proposal on the character and appearance of the dwelling and street scene, and the amenity of neighbours.

Reasons

3. No.15 Baynham Close is a modern two-storey detached dwelling with a separate double garage. It is located at the end of Finsbury Way in a corner position at the junction with Baynham Close. Open space in the valley of the River Shuttle is located immediately to the south and east of the appeal site. The adjacent dwelling to the north is No.14 Baynham Close.
4. Bexley Core Strategy policy CS01 seeks to achieve sustainable development. Policies ENV39 and H9 of the Bexley Unitary Development Plan (UDP) refer to the need for development to have high design standards and to respect the amenity of neighbours.

Character and appearance

5. The appeal building has a previous single storey side extension. This extends to the rear, but because of the orientation of the building it is classed as a side extension. The proposed first floor extension would be constructed above the existing side extension. In view of its position I consider that it would cause no significant harm to the streetscene.
6. The double garage replaced an integral single garage which was converted into a den/study in 2004. The double garage is situated in a prominent position

when viewed at its approach along Finsbury Way. It is in scale with the house and allows views above its roof of the backdrop of trees next to the open space and A2 at its rear.

7. The proposed addition of a first floor to the double garage would increase its height at the eaves by around 1.79 m, resulting in the new ridgeline being at a similar height to the eaves of the house. Consequently the new garage would appear unduly large and not subservient to the appearance of the house because of its size and scale. It would be more prominent when viewed from Finsbury Way and would obscure part of the green, open space backdrop because of its height and bulk. The proposed glazed link, garage extension and first floor side extension would result in the development at the site having an overall cramped appearance. The proposal would have a significant adverse effect on the character and appearance of the dwelling and streetscene and would conflict with Core Strategy policy CS01 and UDP Policies ENV39 and H9.

Effect on amenity

8. The proposed changes to the garage would have no adverse impact on the amenity of neighbours because of its separation distance from the boundary with No.14.
9. The appellants indicate that there would be no significant loss of light or outlook from the proposed first floor side extension to the nearest first floor rear window opening of No.14 because of the position of the extension, separation distance and siting angles which would be achieved.
10. However, the Council's delegated officer report refers to the reason why an identical proposed first floor side extension to the house (ref: 20/01697/FUL) was refused. It explains that the reason for refusal was that because of the additional height of the extension and subsequent overshadowing effect, it was likely to reduce the level of sunlight accessible from the south onto the neighbouring property of No.14. The report advised that, as the proposal was the same, it was logical that a similar conclusion applied.
11. No.14 has a single storey rear extension with a skylight. I agree with the Council that the proposal would result in a detrimental loss of received sunlight to the rear garden of No.14 and its extension skylight because of the height and proximity of the proposed extension. It would therefore conflict with UDP policy H9 and the Council's *Design and Development Control Guideline* which indicates that extensions should be designed to avoid unacceptable loss of sunlight to adjoining houses.

Other Matters

12. The appellants have drawn my attention to other extensions which have been granted permission by the Council at No.1 Hartlands Close and No.8 Baynham Close. However, the site circumstances for these developments is not identical to those at the appeal site and their existence forms insufficient justification to allow this appeal. I have determined this appeal based upon the individual merits of the proposal and its particular site circumstances, having regard to relevant development plan policies and guidance.

Conclusion

13. I have taken all other matters raised into account, including the appellants' desire for additional accommodation. However, for the reasons given above, I conclude that the appeal should be dismissed.

Martin H Seddon

INSPECTOR