

Appeal Decision

Site visit made on 10 December 2021

by R C Shrimplin MA(Cantab) DipArch RIBA FRTPI FCI Arb MCIL

an Inspector appointed by the Secretary of State

Decision date: 27th January 2022

Appeal Reference: APP/D5120/D/21/3282483

Land at 31 Pelham Road, Bexleyheath DA7 4LT

- 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 Phillimore against the decision of the London Borough of Bexley Council.
 - The application (reference 21/01342/FUL, dated 23 April 2021) was refused by notice dated 13 July 2021.
 - The development proposed is described in the application form as: "Addition of a single storey glass room located on the rear elevation of the property in the private garden".
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Decision

1. The appeal is allowed and planning permission is granted for "Addition of a single storey glass room located on the rear elevation of the property in the private garden", at 31 Pelham Road, Bexleyheath DA7 4LT, in accordance with the terms of the application (reference 21/01342/FUL, dated 23 April 2021), subject to the following conditions.

1. The development hereby permitted shall be begun before the expiration of three years from the date of this decision.

2. The development hereby permitted shall be carried out in accordance with the following approved drawings:

- unnumbered Ordnance Survey site plan (1:1250);
- unnumbered Ordnance Survey block plan (1:500);
- drawing number 34234-01 (Plans As Existing);
- drawing number 34234-02 (Elevations As Existing);
- drawing number 34234-03 (Plans As Proposed);
- drawing number 34234-04 (Elevations As Proposed).

Main issues

2. The first main issue to be determined in this appeal is the effect of the proposed development on the residential amenities of neighbours (whether unacceptable harm would be caused by overbearing appearance or loss of light). The second is the effect of the proposed development on the character and appearance of the host building and its surroundings.

Reasons

3. The appeal site lies in a residential area, some way to the north of Bexleyheath shopping centre. The northern frontage of Pelham Road is residential in character but there is a primary school opposite the appeal site, within an otherwise residential frontage. An area of public open space lies to the north of the site.
4. Houses on the north side of Pelham Road are laid out in short terraces. Their front gardens are frequently given over to car parking but they have relatively long back gardens by modern standards. Number 31 is a mid-terrace property that has previously been extended at the rear, by the addition of a single storey addition to the living space. This extension has been constructed with a flat roof above rendered external walls and other properties nearby have also been extended at the rear, at different times and in a variety of designs. Immediately beyond the rear extension, there is a paved terrace area at present, which is raised above the remainder of the garden by a small amount. The back garden faces north.
5. It is now proposed to construct a "glass room" at the rear of the property, further extending the ground floor.
6. The 'National Planning Policy Framework' (which was revised in July 2021) emphasises the aim of "achieving well designed places" in the broadest sense (notably at Section 12), while making effective use of land and encouraging economic activity. It is aimed at achieving good design standards generally, which includes protecting existing residential amenities and providing good standards of accommodation.
7. "Saved" Policies ENV39 and H9 in the 'Bexley Council Unitary Development Plan' (adopted in April 2004) lay a specific emphasis on the need for good design, including in respect of "residential development consisting of extensions and alterations". The 'London Borough of Bexley Core Strategy' (which was adopted in February 2012) and 'The London Plan' (dated March 2021) likewise seek to encourage high standards of design.
8. Section 2 of the 'Design and Development Control Guidelines' underpins the Development Plan Policies, with specific guidance on "extensions to houses", although this guidance does not carry the same weight as formal Policies in the Development Plan.
9. The proposed new extension would extend beyond the existing rear single storey element. Thus, it would project well beyond the rear wall of the main two-storey part of the terrace, although it is noted that the adjoining house at number 33 already has a rear extension of its own.
10. The new structure would be of lightweight "dismountable" construction, with minimal foundations. Essentially, it would be of glass construction, sloping away from the existing flat roof, thus reducing its visual impact to some extent. It is argued that the new extension should not be described as a "conservatory", because of the proposed form of construction, but, nonetheless, it would have a presence as a built structure. In consequence, it would have some impact on the neighbouring properties. The effect on number 33 would be more limited, because of the existing extension on that

plot, but, for both of the houses either side, I am convinced that the extension would not be unduly overbearing or intrusive, nor would it cause an undue loss of light to neighbours.

11. In reaching that conclusion, I have taken account of the north facing orientation of the gardens and their relatively generous length.
12. Turning to the more general issue, it is noted that the "glass room" would be a single-storey addition to the two-storey terrace, to which it would thus be subservient, and that the form of construction would not be out of keeping with the host building or its surroundings. I have also formed the opinion, therefore, that the proposed extension would not be so bulky or ungainly as to cause material harm to the character or appearance of the host building or its surroundings.
13. The appeal scheme would amount to a modest extension to the existing dwelling but it would provide useful additional space and would not cause undue harm to neighbours' residential amenities or to the character and appearance of the surroundings. Hence, I have concluded that the proposed development would not be in conflict with the national legislation or the Development Plan and that it is acceptable in planning terms. In short, I am persuaded that the scheme before me can properly be permitted and, although I have considered all the matters that have been raised in the representations, I have found nothing to cause me to alter my decision.
14. I have, however, also considered the need for conditions and, in imposing conditions, I have taken account of the conditions suggested by the Council in the usual way (without prejudice to their main arguments in the appeal). I am of the opinion that conditions are necessary, to define the planning permission and to ensure that quality is maintained. One of those conditions defines the approved drawings, which also specify the principal approved external materials to be glass with "aluminium powder coated posts and profiles". Consequently, a condition to require the use of "matching materials" is not relevant to the appeal project.

Roger C Shrimplin

INSPECTOR