

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: 28 JANUARY 2022

Appeal Reference: APP/D5120/D/21/3285821 Land at 22 Sheldon Road, Bexleyheath DA7 4PB

- 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 A Normand against the decision of the London Borough of Bexley Council.
 - The application (reference 21/01714/FUL, dated 24 May 2021) was refused by notice dated 9 August 2021.
 - The development proposed is described in the application form as a "single storey rear extension".
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Decision

1. The appeal is dismissed.

Main issue

2. The 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 overshadowing).

Reasons

3. The appeal site is located in a built-up residential area of Bexleyheath that is characterised by a variety of house types. Most of those in Sheldon Road are semi-detached houses but they have often been significantly altered and extended over the years, creating a very varied streetscene.
4. Number 22 Sheldon Road has been clumsily extended and altered in the past, by the addition of an ungainly two-storey flat-roofed extension that has a significant effect on the appearance of the building. At the rear, a combination of flat roofs and pitched roofs on the house, together with a linked, flat-roofed outbuilding on the south-eastern side of the plot, also creates a composition that is unharmonious. Even so, extensions have not been added along the north-western boundary, where the appeal building adjoins the neighbouring property at number 24, to which it is attached (forming a semi-detached pair).
5. It is now proposed to construct a single storey extension to number 22 Sheldon Road, to the rear of the main element of the building but alongside the existing projecting rear element.

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. 'The London Plan' (dated March 2021) likewise seeks to encourage high standards of design, notably at Policies D3 and D4 (which also focus on making the best use of urban land).
8. "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), also emphasises the importance of good design.
9. Section 2 of the Council's 'Design and Development Control Guidelines' underpins the Development Plan Policies, with specific guidance on "extensions to houses".
10. The proposed rear extension at number 22 Sheldon Road would extend up to the rear wall of the existing main rear outshot of the house (excluding the garage and "garden room" portion), thus squaring off this part of the building at ground floor level. It would be constructed with a flat roof, although it would abut the pitched roof of the existing kitchen, creating a very ungainly architectural composition on the rear elevation.
11. The flank wall of the new extension would extend along the side boundary of the plot (adjacent to number 24), as a high blank wall, approximately 5.8 metres long. As such, it would be overbearing in relation to its neighbour and would intrude on the outlook from the rear of the house. Since the adjoining property is located to the north-west of the appeal site, the new wall would also impose a greater degree of overshadowing on the neighbouring back garden.
12. I am conscious that, in some circumstances, rear extensions can be built as "permitted development" but I must consider this planning appeal as it comes before me. On balance, I am convinced that the new blank wall on the boundary with number 24 would be excessively overbearing in relation to the outlook from this neighbouring house and that the extension would overshadow its neighbour to an undue degree.
13. In reaching that conclusion, I have taken account of the other sites that have been referred to in the representations but I am also aware that every case must be determined on its own merits.
14. Evidently, the appeal site lies within an established urban area, which is "sustainable" in planning terms, and the proposed development would make useful additions to the existing house. Nevertheless, I am convinced that the harm that would be done to the residential amenities of the neighbours outweighs the benefits of the project.

15. Hence, I have concluded that the scheme before me would conflict with both national and local planning policies (including the Development Plan) and that it ought not to be allowed. 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.

Roger C Shrimplin

INSPECTOR