

Appeal Decision

Site visits made on 10 and 31 December 2022

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

an Inspector appointed by the Secretary of State

Decision date: 22 FEBRUARY 2022

Appeal Reference: APP/D5120/D/21/3284265

Land at 35 Somerhill Road, Welling DA16 1PF

- 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 R Halai against the decision of the London Borough of Bexley Council.
 - The application (reference 21/01845/FUL, dated 3 June 2021) was refused by notice dated 17 September 2021.
 - The development proposed is described in the application form as a "part one, part two storey rear extension and single storey front extension with conversion of habitable room with internal alterations (revised application)".
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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 visual intrusion or overshadowing). In addition, it is necessary to consider the effect of the proposed development on the appearance of the host building and the streetscene.

Reasons

3. The appeal site is located in a residential area of Welling, to the north of the commercial centre. The streetscene is characterised by pairs of semi-detached houses, with domestic garages between each pair, although, in some cases, two storey side extensions have been built above or in place of the garages, creating a more continuous built-up frontage.
4. The house at number 35 forms a pair with number 33 but since both numbers 35 and 37 have been built up to their side boundaries with two-storey extensions, the two-storey frontage is continuous at this point. The houses are constructed with mainly rendered front elevations and pitched roofs, including an awkward narrow roof slope over the side extension, concealing a flat roof behind.

5. It is now proposed to construct an extension at the rear, partly single-storey and partly two-storey, together with alterations to the roof form and to the front elevation. Various internal alterations would also be undertaken.
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), in which Policy CS07 has a specific relevance to Welling, likewise seeks to encourage high standards of design, as does 'The London Plan' (dated March 2021).
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 alterations to the front elevation would include the removal of the existing garage door and alterations to the shape of the roof. The plan and elevation drawings are inconsistent in respect of the finished appearance, however. The drawings indicate that the main roof ridge would be stepped, presumably to indicate "subordination", but it is not clear to me that this would be desirable architecturally, rather than continuing the main ridge to create a simple coherent roof form. In practice, the elevation as drawn would be achieved by introducing a small area of flat roof in an illogical and inconsistent way. Moreover, the eastern plane of the roof would logically be continuous, though the drawings do not make this clear, if so.
10. In the light of these considerations, I have considered whether the discrepancies could be addressed by the imposition of a condition or conditions but I have concluded that such an approach would be likely to give rise to confusion and uncertainty. On the basis of the drawings as submitted, I have formed the view that the scheme would have a harmful effect on the appearance of the building and thus on the surroundings and I am convinced that this objection cannot be overcome by the imposition of conditions. In consequence, the appeal must fail.
11. At the rear of the property, more substantial changes are envisaged. The existing conservatory would be removed and a new extension would be constructed. On the ground floor, this would comprise a single space across the rear of the elevation, as a "kitchen/dining" area. At one side, a first floor element would be added, to provide a bedroom with its own en-suite facility. The two-storey section would be topped by a hipped roof, constructed as part of the new main roof, with a flat roof (and lantern) over the lower single-storey section.

12. The new two-storey section would abut the side boundary with number 37 Somerhill Road and would project 3.5 metres from the existing principal rear wall of the house. The rear elevations of the houses on this frontage face north, approximately, and thus receive very limited direct sunlight. In any case, the two existing windows at the ground floor level of number 37 look out between the side boundary fence and the conservatory that takes up part of its own rear elevation.
13. The proposed two-storey extension would present a large flank wall to the side of the adjoining garden and it would have an impact on the outlook from the rear of that house, although it would have only a limited effect on the amount of direct sunlight that would be received. I am aware of the Council's guidance on house extensions and of the "permitted development" regime which provides that some house extensions do not meet the threshold that is established for an application for planning permission to be necessary. Nevertheless, I am also conscious that, where planning permission is necessary, each case must be considered on its own merits as to whether or not permission should be granted.
14. In this case, I have formed the opinion, on balance, that the impact of the proposed extension on the adjoining property would be acceptable in planning terms. There would be only a very limited effect on sunlight and daylight, and it would not be so visually intrusive or overbearing as to be unacceptable in a built-up urban environment.
15. Evidently, the appeal site lies within an established urban area, which is "sustainable" in planning terms, and the proposed development would make a useful addition to the existing house. I have also concluded that the rear extension would not cause unacceptable harm to the neighbours' living conditions. Nevertheless, I am convinced that the damage that would be done to the appearance of the existing house and, thus, to the streetscene outweighs the benefits of the project.
16. 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