
Appeal Decision

Site visit made on 15 March 2022

by J Davis BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25th March 2022

Appeal Ref: APP/D5120/D/22/3291786
83 Danson Road, Bexleyheath, DA6 8HP

- 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 & Mrs Thapar against the decision of the Council of the London Borough of Bexley.
 - The application Ref 21/03027/FUL, dated 29 September 2021, was refused by notice dated 31 December 2021.
 - The development proposed is part one/part two storey side extension and first floor rear extension.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - The effect of the proposal on the character and appearance of the host dwelling; and
 - The effect of the proposal on the living conditions of the occupiers of 45 Brasted Close, with particular reference to privacy.

Reasons

Character and appearance

3. The appeal property is a detached two-storey dwelling which lies to the rear of a row of detached dwellings fronting directly onto Danson Road. The surrounding area comprises mainly detached houses, most of which are of individual architectural styles and designs.
4. The host dwelling is located within a substantial plot which extends to the south of the dwelling. The dwelling itself is on a level plateau, however the garden of the property falls steeply away from the dwelling, through a series of stepped levels. The dwelling has been significantly extended in the past, as evidenced by its external appearance.
5. The proposed two storey element of the side extension would not result in an increase to the footprint of the dwelling. It would replace an existing catslide roof that incorporates large side dormers with a more conventional two storey extension. The proposed extension would add some additional bulk and mass

at first floor level, however I do not consider that it would significantly add to the scale of the dwelling. The extension would have a lower ridge height than the host dwelling and would be appropriate and well-integrated in terms of its design and appearance.

6. The single storey element of the side extension would represent new floor space. However, this part of the extension would be modest in terms of its width and would have a flat roof and a relatively low height. Accordingly, I am satisfied that it would appear subservient to the main dwelling and would not detract from its overall character.
7. I acknowledge that the existing property has been significantly altered and extended over the years. However, the dwelling is located within a very large plot and in my view, the proposed one / part two storey side extension would not result in an overdevelopment of the dwelling or the plot, even when considered cumulatively with previous extensions. Furthermore, there would be no implications for the street scene or wider character of the area, given the dwelling's location behind the frontage properties.
8. The proposed first floor rear extension would be above an existing conservatory extension. The existing conservatory extension is of solid construction, with the ridge of its pitched roof virtually reaching the eaves height of the dwelling.
9. The eaves height of the proposed first floor extension would be broadly level with that of the host dwelling. The extension would have a hipped roof structure which would add further to the bulk and mass of the dwelling. In my view, the proposed extension, with its independent hipped roof form would not be well integrated with the remainder of the dwelling and would appear as a rather discordant element that would be out of character with the host property. Furthermore, whilst the dwelling is located within a large plot, I find that the overall increased height, size, scale and bulk of the rear extension would result in the dwelling appearing rather cramped in relation to the rear boundary of the site.
10. In conclusion, I am satisfied that the proposed part one / part two storey side extension would not be harmful to the character and appearance of the host dwelling. However, for the above reasons, I find that the proposed first floor rear extension would have a harmful effect on the character and appearance of the host dwelling. Thus, the proposal is contrary to Policy CS01 of the Bexley Core Strategy (2012) and Policies H9 and ENV39 of the Bexley Unitary Development Plan (2004) (UDP) which, amongst other matters, require development to be of a high standard of design and compatible with the character of existing buildings.

Living conditions

11. The existing first floor windows on the rear elevation of the dwelling are shown to serve a shower room and a bathroom. The proposed plans show alterations to the internal arrangement of this part of the dwelling, with a bedroom window on the rear elevation (to serve Bedroom 01), in place of the existing bathroom window.
12. In my view, the introduction of a habitable room window on the rear elevation of the existing dwelling would be likely to increase the likelihood of overlooking of the side and rear garden of the adjacent dwelling, 45 Brasted Close. I

acknowledge that this part of the rear elevation is set in a few metres from the rear boundary, however, the window would nonetheless offer clear and direct views into the garden of No 45 at a relatively close range. This therefore leads me to conclude that the proposal would have a harmful effect on the living conditions of the occupiers of No 45 in relation to privacy.

13. I note that the appellant would be willing to look at measures to address the issue of potential overlooking. However, given that the window would serve a bedroom, obscure glazing would not be an appropriate solution as it would result in a poor outlook and thus impact on the living conditions of the occupiers of the appeal property.
14. I have had regard to the Daylight and Sunlight Assessment which demonstrates that the development would be acceptable in relation to daylight and sunlight. Whilst this is a positive aspect of the scheme, it does not lessen my above concerns in relation to privacy.
15. I therefore conclude on this issue that the proposal would have a harmful effect of the living conditions of the occupiers of 45 Brasted Close with particular reference to privacy. As such, the proposal would fail to comply with Policies H9 and ENV39 of the UDP insofar as they seek to ensure new residential development is not prejudicial to the environment, privacy and amenity of the occupiers of adjacent properties.

Other Matters

16. The appellant has highlighted several other dwellings in the locality which have been significantly extended. Whilst I do not dispute this, none of the examples provided are directly compatible to the appeal scheme in terms of the characteristics of the host dwelling, their plots or the design of the proposed extensions. In any event, I am required to determine the appeal on its own merits.
17. I acknowledge that the proposed extensions would provide enhanced living accommodation for the appellants. However, this consideration does not outweigh the harm I have identified above.

Conclusion

18. For the above reasons, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

J Davis

INSPECTOR